

THE MADRAS LEGISLATIVE ASSEMBLY.

Tuesday, 5th January 1954.

The House met in the Assembly Chamber, Government Estate, Mount Road, at nine of the clock, Mr. Speaker (THE HON. SRI J. SIVASHANMUGAM PILLAI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

MR. SPEAKER :—“ I have put down as many as 39 questions and I want to go through them in time. We shall first take up short notice questions.”

SRI M. NARAYANA KURUP :—“ Sir, I was not informed that my question (No. 297-A) put down as the first short notice question to be answered, would come up for answer to-day. Generally we used to get notice. I would request you to take it up tomorrow.”

SRI T. C. NARAYANAN NAMBIAR :—“ My question also relates to the same subject as question No. 297-A.”

MR. SPEAKER :—“ If the hon. Members want that their questions should be taken up tomorrow, I have no objection. Short notice questions No. 297-A and No. 297-B will be taken up to-morrow.”

Promulgation of section 144 of Criminal Procedure Code in Vellore town.

* 297-C Q.—SRI A. GOVINDASWAMY NAYAGAR : Will the Hon. the Chief Minister be pleased to state—

(a) the reasons for bringing into operation section 144 in Vellore town, North Arcot district, recently; and

(b) why police constables are guarding the statue of Gandhiji?

THE HON. SRI C. RAJAGOPALACHARI :—“ (a) An order under section 144, Criminal Procedure Code, had been in force in parts of Vellore town consequent on a clash between Hindus and Muslims on 23rd November 1953. On 4th December 1953, the Municipal Council, Vellore, passed a resolution by a narrow majority to invite Sri C. N. Annadorai to unveil the statue of Gandhiji in the public park, Vellore, and it was reported that a number of Councillors of the Vellore Municipality resented this decision and were attempting to get it cancelled. It was also brought to the notice of the Government that a section of the public were agitated considerably over the decision of the Municipal Council. Fearing that all this may lead to breaches of peace, the Collector

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of North Arcot took steps to extend the operation of the order under section 144, Criminal Procedure Code, already in force to the other areas of the town where there was likelihood of trouble and at the same time banning processions and meetings excepting the function connected with the unveiling of the statue itself as also other customary and religious processions.

“(b) To prevent any possible unauthorized and secret attempt to interfere with the statue or the arrangements made for its unveiling before the date fixed for the function by any dissident groups and organizations, the Collector provided police protection for the statue. The Government also took unofficial measures to advise those who were expected to listen to their advice to let the decision of the Municipal Council be carried out peacefully.”

SRI A. GOVINDASWAMY NAYAGAR :— “வேலூரிலே இப்போதும் கலவரம் இருக்கிறதா? கலவரம் அமைதியான பிறகும் எதற்காக 144 நீடிக்கவேண்டும் ? ”

THE HON. SRI C. RAJAGOPALACHARI :— “As to what is to be done hereafter will be decided by the Government and as soon as possible, orders will be withdrawn. But feelings continue and sometimes, advantage may be taken of the withdrawal of the order, which we do not like.”

SRI A. GOVINDASWAMY NAYAGAR :— “காந்தி சிலையை அண்ணாதுரை திறப்பதால் காங்கிரஸ்காரர்கள் ஆத்திரம் அடைந்து அந்த சிலையை அவர்கள் திறக்கவேண்டுமென்று முயற்சி செய்தது சர்க்காருக்குத் தெரியுமா? அப்படித் தெரிந்தால் காங்கிரஸ்காரர்கள் மீது என்ன நடவடிக்கை எடுத்திருக்கிறார்கள் என்று தெரிந்துகொள்ள விரும்புகிறேன்.”

THE HON. SRI C. RAJAGOPALACHARI :— “I am sorry the hon. Member does not seem to have followed my answer. I have dealt with the subject-matter of the question very fully.”

SRI V. GOPALA GOUNDER :— “Was there any clash between the rival parties with reference to the question of unveiling of the statue prior to the issue of the order? ”

THE HON. SRI C. RAJAGOPALACHARI :— “I am not quite sure. But I think that there was no clash but was only an apprehension of a clash. There was sufficient evidence to show that a clash might occur at any time.”

SRI V. BALAKRISHNAN :— “To which political opinion was the threat to peace traced before the order under section 144, Criminal Procedure Code, was promulgated? ”

THE HON. SRI C. RAJAGOPALACHARI :— “It is not a matter of opinion. Some people think that it is only out of opinion but it is not that. The actual feelings that have been developed have to be dealt with. That is the point and opinion becomes unimportant.”

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SRI A. GOVINDASWAMY NAYAGAR :— “காந்தியாருக்கு விரோதபாவமான வெள்ளைக்காரர்களும், பாகிஸ்தான் தலைவர்களும் அவரது சவச் சமாதிமேல் மாலையிடும்போது, காந்தியார் சிலையை அண்ணுதுரை திறப்பதால் தீட்டு வந்து விடுமா? சிலையைத் திறக்கும்போது மூன்று காங்கிரஸ் காரர்கள் அங்கு நின்றுகொண்டு கலவரம் செய்தது சர்க்காருக்குத் தெரியுமா? ஏகப்பட்ட போலீஸ் பந்தோபஸ்து இருந்ததும் சர்க்காருக்குத் தெரியுமா?”

THE HON. SRI C. RAJAGOPALACHARI :—“I have dealt with all that is being asked by the hon. Member, in advance in my original answer. He wants to know why Congress should object to the proposal. He asked why Congressmen should object unreasonably to Gandhiji's statue being unveiled by a person who might be differing in politics but who wished to pay his tribute of admiration to Gandhiji. I entirely agree with him and that is why I thought it was wrong on the part of the agitated members of the public to interfere with the statue and put policemen to prevent such interference.”

SRI A. GOVINDASWAMY NAYAGAR :— “காந்தி சிலையைத் திறக்க அனுமதி கொடுத்த சர்க்கார், ஏன் என்னுடைய தலைமையில் நடக்க விருந்த கூட்டத்திற்கு மட்டும் 144 போடுவானேன்?”

THE HON. SRI C. RAJAGOPALACHARI :—“I did not know, Sir, that the hon. Member had a grievance.” (Laughter.)

Report of the Tripartite Enquiry Committee.

* 297-D Q.—**SRI N. K. PALANISAMI :** Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) the recommendations made by the Tripartite Enquiry Committee with regard to labourers;

(b) when the report of the Committee was received by the Government; and

(c) when it will be published?

THE HON. DR. U. KRISHNA RAO :—“(a) The recommendations of the Tripartite Enquiry Committee are numerous and cannot be answered to a question. Printed copies of the report will be placed in the Legislature library for reference by the members.

“(b) The report was received by the Government in April 1953.

“(c) Printing of the report is likely to be over by the middle of January 1954.”

SRI N. K. PALANISAMI :— “அவைகள் எப்போது அமுலுக்கு வருமென்று மந்திரி அவர்கள் சொல்லவேண்டும்.”

THE HON. DR. U. KRISHNA RAO :—“This is only a recommendation of the Committee. There is no question of the Government implementing it. It is open to managements and labour to implement as many of the agreed suggestions as they are willing to have implemented.”

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a.m.

* 297-E Q.—SRI K. P. GOPALAN: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) why the Tripartite Committee report on the textile industry has not been published so far; and

(b) whether the Government have accepted the recommendations of this Committee in part or *in toto* and if so, when they will be implemented?

THE HON. DR. U. KRISHNA RAO :—“(a) The Report of the Tripartite Textile Enquiry Committee is under print and it is expected that final copies will be ready by the middle of January 1954.

“(b) The Committee is not a statutory Committee and the parties are not bound to implement the recommendations of the Committee.”

SRI K. P. GOPALAN :—“May I know, Sir, whether it is not a fact that because the report contains some favourable decisions on the side of the workers, the Government have delayed the publication of the report?”

THE HON. DR. U. KRISHNA RAO :—“There are favourable points both on the side of labour as well as management. The question of printing takes some time.”

SRI V. R. KRISHNA AYYAR :—“Anyway now that the recommendations of the above Committee are ready, may I know whether the Government are inclined to use their good offices to persuade the management to accept those recommendations?”

THE HON. DR. U. KRISHNA RAO :—“Sir, the Government are always available to use their good offices to bring an amicable and peaceful settlement on all disputed cases and at all times between management and labour.”

SRI P. RAMAMURTHI :—“இந்தக் கமிட்டி ஏற்படுத்தப்பட்டு மூன்று வருஷங்கள் ஆகின்றன. மூன்று வருஷங்கள் ஆன பிறகும் அந்த ரிப்போர்ட் இன்னும் பிரசுரிக்கப்படாமல் இருக்கிறது. அந்த ரிப்போர்ட்டின் சாராம்சத்தையாவது தவக்கமில்லாமல் வெளியிடுவதற்கு அரசாங்கம் யோசிக்குமா?”

THE HON. DR. U. KRISHNA RAO :—“As I said, the whole report is going to be published. What is the point in publishing a summary?”

SRI P. RAMAMURTHI :—“அந்த ரிப்போர்ட்டை தவக்கமில்லாமல் சுருக்கமாக உடனே வெளியிடவேண்டும். முக்கியமான என்ன திருத்தங்கள் செய்யப்பட்டிருக்கின்றன? அந்த ரிப்போர்ட்டின் சுருக்கத்தையாவது உடனடியாக தவக்கமில்லாமல் வெளியிடும் முறையை ஏன் அனுஷ்டிக்கக்கூடாது?”

THE HON. DR. U. KRISHNA RAO :—“We thought that we would be able to print it (report) quicker along with a summary. Perhaps I think the summary is also available.”

SRI M. PALANIYANDI :—“அந்த முக்கூட்டு கமிட்டியின் ரிப்போர்ட்டானது பிரசுரிக்கப்படாததன் காரணம், அதில் மின்சாரவெட்டின் காரணமாக வேலையிழந்த, வருமானமிழந்த தொழிலாளர்களுக்கு ஒரு வித சலுகை கொடுக்கப்பட்டிருக்கிறது என்பதற்காகவா? அது தெரிந்

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தும்சூட மேற்கண்ட ரிப்போர்ட்டை ஏன் இன்னும் வெளியிடவில்லை ? அந்த ரிப்போர்ட்டின் சிபார்சை சுருக்கமாகவாவது வெளியிடுவதற்கு அரசாங்கம் முன்வருமா ? ”

THE HON. DR. U. KRISHNA RAO :—“ I cannot accept the reasons put forward by the hon. Member for not printing the report. The delay is entirely due to the difficulties in the Government Press. As a result of partition of the Andhra State, many of the machinery of the Government of Madras had to be sent to the Andhra State and due to the difficulties in the Press, the delay has occurred. But now the difficulty is partially over. We have the proofs ready and I think, within a month, I mean before the end of January 1954, we will be able to publish the report finally.”

SRI P. RAMAMURTHI :—“ “ சர்க்காருடைய அச்சகத்தில் இதை பிரசுரிப்பதற்கு சில கஷ்டங்கள் இருக்கின்றன என்று சொன்னால், அதை வெளியிலுள்ள அச்சகத்தின் மூலம் உடனடியாக பிரசுரிப்பதற்கு சர்க்காருக்கு கஷ்டம் ஏற்படாதல்லவா ? இல்லாமல்போனால் அதில் என்ன கஷ்டம் என்பதைத் தெரிவிக்கவேண்டும்.”

THE HON. DR. U. KRISHNA RAO :—“ When we gave the matter for printing, we did not anticipate any delay. We thought the work would be finished within a short time. But within a month afterwards, a big event in the State of Madras took place, viz., the partition of Andhra from the composite Madras State. We did not foresee it before. Therefore there was difficulty in the Government Press in regard to machinery, to which I had already referred. I must say I am sorry for the delay. We were not able to print it as quickly as possible. I think within a month, we will publish the report.”

SRI P. RAMAMURTHI :—“ சர்க்கார் அச்சகத்தினுடைய சூபரின் டென்டெண்டு அவர்களிடம் இதை ஒரு குறிப்பிட்ட காலத்திற்குள் அச்சிட்டுக் கொடுக்கமுடியுமா என்பதைத் தெரிந்துகொண்டு, அப்படி அச்சடிக்க முடியாமல்போனால் அதை வெளியிலுள்ள அச்சகத்திற்கு கொடுப்பதற்கு சர்க்கார் தயாராக இருக்கிறதா ? ”

THE HON. DR. U. KRISHNA RAO :—“ I have already answered that we did not foresee that partition of the State would come so quickly. The difficulties with which the Government Press was faced consequent on partition had led to this delay in printing. Within a month from now, we shall publish the report.”

*Memorandum from the Parry & Co. Labour Union,
Nellikuppam.*

* 297-F Q.—**SRI K. P. GOPALAN :** Will the Hon. the Minister for Industries and Labour be pleased to state whether the Government have received a memorandum, dated 8th December 1953 from the Parry & Co. Labour Union, Nellikuppam, about the increase in the basic wage of workers, grant of dearness allowance and additional bonus without any discrimination between pre-1948 and post-1948 workers, etc., and if so, the action taken thereon?

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THE HON. DR. U. KRISHNA RAO :—“ The Government have received only a copy of the letter, dated 8th December 1953, from the Secretary, East India Distilleries and Sugar Factories, Limited, Labour Union, Nellikuppam, addressed to the General Manager, East India Distilleries and Sugar Factories, Limited, Nellikuppam. No action was taken on it as it was only a copy of a letter addressed to the management.”

Dispute between the workers and the management of the Ambika Beedi Factory, Kollengode.

* 297-G Q.—SRI R. KRISHNAN : Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) the award of the Industrial Tribunal in the dispute between the workers and the management of the Ambika Beedi Factory in Kollengode, Palghat taluk, Malabar;

(b) whether the management have implemented the award; and

(c) if not, what action the Government propose to take in the matter?

THE HON. DR. U. KRISHNA RAO :—“ (a) The award has been published at pages 10–11 of the Supplement to Part I of the *Fort St. George Gazette*, dated 15th April 1953. The Industrial Tribunal, Coimbatore, has awarded 15 days' salary in lieu of notice, gratuity at the rate of 15 days' salary per year of service and salary for the leave period to which the workers are entitled under the Factories Act.

“ (b) No.

“ (c) The claim petitions received from the affected workers are under consideration.”

SRI R. KRISHNAN :—“ ഒരു കൊല്ലമായിട്ടും അവാർഡ് നടപ്പിൽ വരുത്താൻ മാനേജ്മെന്റ് കൂട്ടാക്കിയിട്ടില്ല. ആ നിലക്കു കഴിയുന്നതും വേഗത്തിൽ അവാർഡ് നടപ്പിൽ വരുത്താൻ ഗവണ്മെന്റു എന്തു നടപടി എടുക്കും ? ”

THE HON. DR. U. KRISHNA RAO :—“ മനസ്സിലായില്ല. ”

SRI K. P. GOPALAN :—“ Sir, . . . ”

MR. SPEAKER :—“ Is the hon. Member trying to translate ? ”

SRI K. P. GOPALAN :—“ Yes, Sir. According to the Industrial Disputes Act, as I understand it, within a month from the date of publication of the award, the Government should take steps to see that the award is implemented. Why have not the Government done so even though the award was published long ago? Will they take steps immediately to implement the award? ”

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THE HON. DR. U. KRISHNA RAO :—“ I must submit, Sir, that the hon. Member has read the Industrial Disputes Act defectively. It is not the duty of the Government but it is that of the management to implement the award within one month when it pertains to them. If within one month the management do not implement the award, then the labourers concerned should write to Government individually, complaining against the non-implementation of the award. There is no time-limit for Government's action.”

SRI M. PALANIYANDI :—“ தொழிலாளர்களிடமிருந்து எப்போழுது (Claim petition) வந்தது? எவ்வளவு நாட்களாக பரிசீலனையில் இருந்து வருகிறது என்பதை சொல்லமுடியுமா? ”

THE HON. DR. U. KRISHNA RAO :—“ The award was published in the Gazette on 15th April 1953. I think the petition from the labourers concerned came only recently. I do not know definitely when it came. If the hon. Member were to put a separate question, I might be able to answer more definitely.”

* 297-H Q.—**SRI A. RATNAM :—**“ I request the question may be taken up tomorrow.”

MR. SPEAKER :—“ It can be done only if the hon. Member who has put the question, Sri Deivasigamany, had authorized the hon. Member to request on his behalf that it be taken up tomorrow.

“ Since the hon. Member concerned is not here, the answers will be printed . . . ”

SRI S. DEIVASIGAMANY :—“ I just now came, Sir. I put the question, Sir.”

Appointment of Assistant State Prosecutors in Madras City.

* 297-H Q.—**SRI S. DEIVASIGAMANY :** Will the Hon. the Chief Minister be pleased to state who is the appointing authority for Assistant State Prosecutors in Madras City?

THE HON. SRI C. RAJAGOPALACHARI :—“ The State Government is the appointing authority.

Just as in the mufassal, the head of the district and the Sessions Judge recommend, in Madras, the Commissioner of Police and the Chief Presidency Magistrate appraise the fitness of the several applicants and send them to Government who make the appointment.”

SRI S. DEIVASIGAMANY :—“ Has the Commissioner of Police been delegated to appoint State Prosecutors? ”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—“ I have already answered that it is the Government who is the appointing authority.”

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SRI V. GOPALA GOUNDER :—“ The Hon. Minister stated that in the mufassal, it is the head of the district who appoints the Assistant State Prosecutors. Does the Hon. Minister mean by the term head of the district, the District Collector or the Judicial District Magistrate? ”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—“ The head of the district recommends the person to the Government. It is the Government who are vested with the power of appointment of Assistant State Prosecutors.”

SRI S. DEIVASIGAMANY :—“ Have the Government framed any rules and regulations for appointment of Assistant State Prosecutors? ”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—“ Yes, Sir, Government have framed the rules and they have come into effect from November 1953 onwards.”

SRI V. GOPALA GOUNDER :—“ Will the Hon. Minister clarify the term ‘district head’? Is it the District Collector or Judicial District Magistrate? ”

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—“ It refers to the District Judge and the Collector.”

Cholera in Walluvanad taluk.

* 297-I Q.—SRI KUNHI MOHAMED SHAFEE : Will the Hon. the Minister for Health be pleased to state—

(a) whether the Government have received any information about the new outbreak of cholera in Walluvanad taluk, Malabar district, particularly in Perintalamanna range;

(b) if so, how many attacks and deaths have taken place so far in this area; and

(c) what actions, remedial and preventive, are being taken by the Government?

THE HON. SRI A. B. SHETTY :—“ (a) Yes, Sir.

“ (b) Eighty-eight attacks and seventy-two deaths have occurred in that range.

“ (c) Soon after the receipt of report of infection, the Range Health Inspector and the District Health Officer visited the villages and instituted control measures. In addition to the Range Health Inspector, four Special Inspectors have been deputed for cholera duty. Disinfection of infected houses and materials, chlorination of water-sources, inoculation of almost the entire population of the area and health propaganda among the public have been carried out.”

SRI KUNHI MOHAMED SHAFEE :—“ May I know the names of the villages and the dates on which this outbreak of cholera had taken place? May I also know the period during which it was prevalent? ”

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THE HON. SRI A. B. SHETTY :—“ The first notification of outbreak of cholera in Attapadi valley in Malabar district was on 26th September 1953. The place has been free from infection from 12th December 1953.”

SRI M. NARAYANA KURUP :—“ Sir, in this area cholera was prevalent for about three months, while in other areas it was for shorter periods, and subsequently the Government could control it within less than a month. Is it not a fact that in Attapadi and other areas, because the residents were aborigines and Harijans, Government neglected for a very long time taking remedial measures and hence the disease continued to spread? ”

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a.m.

THE HON. SRI A. B. SHETTY :—“ On account of the scattered and hilly nature of the residences, timely intimation of new cases could not be obtained. However, all the people of Attapadi valley and other areas affected were given full relief.”

SRI K. C. GOPALAN UNNI :—“ അട്ടപ്പാടിയിൽ കോളറയെന്നു ഒരു പ്രാദേശിക രോഗം ഉണ്ടായിട്ടു വളരെ കാലം എടുത്തു എന്നു കേൾക്കുന്നു. അതു വാസ്തവമാണോ ? ”

THE HON. SRI A. B. SHETTY :—“ Sir, a separate question may be put.”

SRI V. R. KRISHNA AYYAR :—“ Sir, as one of the remedial and preventive measures, would Government try to distribute wholesome worm-free and insect-free rice to this area or supply insecticides along with rice? ”

THE HON. SRI A. B. SHETTY :—“ The question may be addressed to my Hon. Colleague, the Minister for Food, Sir.”

SRI KUNHI MOHAMED SHAFEE :—“ Sir, is it a fact that some time elapsed before the authorities in the area could go to the affected areas and will the Hon. Minister be also pleased to state the villages to which the disease had spread? ”

THE HON. SRI A. B. SHETTY :—“ Sir, I have already stated why it was not possible to obtain timely intimation of new cases.”

SRI M. NARAYANA KURUP :—“ Sir, recently a third taluk, Ernad, has also been notified as a cholera-affected area. Will Government enquire why cholera is spreading so rapidly in all the taluks of Malabar and would Government take necessary preventive measures? ”

THE HON. SRI A. B. SHETTY :—“ Sir, that is a very wide question. The spread of disease is due to a variety of causes, such as drinking of contaminated water, eating unwholesome food, poverty of the people, unsuitable and unhealthy living conditions, etc. But wherever an epidemic breaks out, immediate measures are taken by posting Epidemic Reserve Health Inspectors for taking all necessary control measures.”

[5th January 1954]

*Black Flag demonstration during the visit of the
Prime Minister to Madras.*

* 298 Q.—SRI K. ARANGANATHAN : Will the Hon. the Chief Minister be pleased to state whether it is a fact that the Commissioner, Madras City Police, gave permission in writing to the Dravidian Progressive Federation to do Black Flag Demonstration in Mount Road during the recent visit of the Hon. the Prime Minister of India to Madras?

THE HON. SRI C. RAJAGOPALACHARI :—“ No, Sir. No licence or written permission was given as put in the question, but the Commissioner of Police directed different groups to different places with the object of preventing clashes between them.”

SRI R. V. SWAMINATHAN :—“ Sir, may I know whether it is a fact that the Police in Madras gave protection and also made facilities for this demonstration to be conducted from convenient places? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ I think the hon. Member's comment is rather long. But I can answer it only in substance. There was preparation for presenting welcome and there was preparation for presenting opposition. Government did not think it right or good or expedient to suppress any party. Therefore, Government's duty was to prevent a clash and all that was necessary was done to that end. There was no encouragement. On the other hand, arrangements made showed things in proper proportions.”

SRI A. RAMASAMI TEVAR :—“ Sir, may I know from the Hon. Chief Minister whether it is a fact that the Dravidian Progressive Federation have become sane and good boys to abide by the decision of the Police Commissioner? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ Sir, the hon. Member's construction is very liberal. Men obey when they cannot help obeying.” (Laughter.)

SRI K. R. VISWANATHAN :—“ May, I know, Sir, how many were injured and taken to the hospital as a result of the black flag demonstration? ”

THE HON. SRI C. RAJAGOPALACHARI :—“ In spite of those arrangements, the parties were moving away from their respectively allotted places. And as a result of some trouble during that movement, one man was injured and he, instead of going away, was exhibiting his injury to the people and there was apprehension that greater disturbance may be caused. Meanwhile, the Police arrived and kept the peace.”

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Payment of compensation to the residents of Thandavankuppam village in Neiveli mine area.

* 299 Q.—SRI K. ARANGANATHAN: Will the Hon. the Minister for Industries and Labour be pleased to state the total amount of compensation paid to occupiers of the houses that have been acquired in Thandavankuppam village in Neiveli mine area, South Arcot district?

THE HON. DR. U. KRISHNA RAO :—“ The compensation amount has not yet been paid to them pending completion of land acquisition proceedings. They have, however, been paid loans on an *ad hoc* basis up to 60 per cent of the compensation amount payable to them.”

SRI K. ARANGANATHAN :—“ அந்த நிலங்களை வாங்கித்தான் ஆகவேண்டுமென்ற கட்டாயம் ஏற்பட்ட பிறகு, அந்த நிலங்களை வாங்குவதற்கு அரசாங்கம் ஏன் அவர்களுக்குக் கடன் கொடுக்கவேண்டும்? அதுவுமன்றி கடனாக கொடுக்கப்பட்ட அந்தத் தொகைக்கு ஏன் வட்டி வசூல் செய்யவேண்டும்? ”

THE HON. DR. U. KRISHNA RAO :—“ Before land can be acquired various procedures have to be followed and they naturally take time. Sometimes, those who are to be evicted do not abide by the conditions of eviction.”

SRI S. DEIVASIGAMANY :—“ Would Government consider the desirability of giving annual royalties to those persons who have parted with their lands? ”

THE HON. DR. U. KRISHNA RAO :—“ For what purpose, Sir? ”

SRI S. DEIVASIGAMANY :—“ For parting with their lands.”

THE HON. DR. U. KRISHNA RAO :—“ Sir, we are working now only a Pilot Plant to quarry, and when the whole quarrying is finished, then we will have to consider what further must be done, who all will have to be paid and what amount is to be paid. The matter will have to be considered at a later stage. It is not possible to do anything now.”

SRI S. RAMALINGAM :—“ அவர்களுக்கு எவ்வளவு நஷ்ட ஈடு கொடுக்க முடியும் என்பதை கணக்குப்பார்த்து, அதைச் சர்க்கார் கடனாகக் கருதாமல் அட்வான்சாக அதாவது முன்பணமாக கருதி, அதை மீண்டும் வாங்காமல் இருப்பதற்கு சர்க்கார் யோசிக்குமா? ”

THE HON. DR. U. KRISHNA RAO :—“ I have already said that the decision of the Government is that they should be paid an *ad hoc* loan of 60 per cent of the compensation amount payable.”

SRI K. ARANGANATHAN :—“ அரசாங்கம் முன்கடன் என்பதைத் தவிர்த்து, அட்வான்சாக ஏன் கொடுக்கக்கூடாது? ”

THE HON. DR. U. KRISHNA RAO :—“ I have already answered that question, Sir.”

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Reduction of rent in Koothali estate, Malabar.

* 300 Q.—SRI P. KUNHIRAMA KIDAV : Will the Hon. the Minister for Law be pleased to state whether the Government have got any representation from the tenants of Koothali estate, Kurumbranad taluk, North Malabar, seeking reduction of rent for this year due to the recent flood havoc; and if so, what action has been taken?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—“ The answer is in the negative.”

Construction of a bridge at Perimba ferry, North Malabar.

* 301 Q.—SRI K. P. GOPALAN : Will the Hon. the Minister for Public Works be pleased to state at what stage the construction of the bridge at Perimba ferry, Payyanur, North Malabar, stands now?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ In respect of improvement works on the Bombay-Cape Comorin road the Government of India have agreed to meet 50 per cent of the expenditure. They have been requested to accord technical approval to the estimates and financial sanction for 50 per cent of the estimated expenditure. The work will be taken up as soon as the sanction has been received.”

Purchase of new buses.

* 302 Q.—SRI A. RATNAM : Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) how many new buses were purchased during 1952-53 and their cost;

(b) how many half decker buses were constructed and the cost of each; and

(c) how many lorries are being used in the place of buses?

THE HON. DR. U. KRISHNA RAO :—“ (a) & (b) Eight new Guy buses were purchased during 1952-53. Seven of them are single-decker buses and one is a ‘ half-decker ’. The overall cost of a single-decker bus is Rs. 70,410 per bus. The overall cost of the half-decker bus is Rs. 73,620.

“ (c) Fourteen lorries are used in addition to buses.”

SRI A. RATNAM :—“ இவைகளில் டீஸல் வண்டிகள் எத்தனை? பெட்ரோல் வண்டிகள் எத்தனை? டிராம் வண்டிகள் நின்றபிறகு அதிகப்படியான பஸ்கள் தேவைப்படுகின்றன. எத்தனை பஸ்கள் வாங்க உத்தேசம்? அதற்கு எவ்வளவு செலவாகும்? ”

THE HON. DR. U. KRISHNA RAO :—“ Yes, Sir, these are diesel buses and the hon. Member may be aware, from the answer I gave to another question on a previous occasion, that we have bought 40 buses and we are going to buy 40 heavy buses. We have also changed the petrol vehicles into diesel vehicles by installing Perkin's engines.”

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SRI A. GOVINDASWAMY NAYAGAR :—“ புதியதாக வாங்கியுள்ள பஸ்களுக்கு பெயரிடத் து சர்க்காரா அல்லது பஸ்களைச் செய்தவர்களா ? ‘ சிகப்பு பெண்ணினுடைய விலை எவ்வளவு ? ”

THE HON. DR. U. KRISHNA RAO :—“ As I said just now, the cost of a single-decker bus is Rs. 70,410. I am not aware of the man who gave the name to the bus, but the public appreciated the name.” (Laughter.)

SRI V. R. KRISHNA AYYAR :—“ Sir, were all the buses bought of the same dealer or were they purchased after calling for tenders and consulting other dealers? ” 9-20 a.m.

THE HON. DR. U. KRISHNA RAO :—“ Yes, Sir, tenders were invited from different people and the lowest tender and the suitability of the machine were considered in making the final selection.”

SRI A. GOVINDASWAMY NAYAGAR :—“ அந்த பஸ்களுக்கு பெயர் வைத்தது யார் என்று கேட்டேன். அதற்கு கனம் மந்திரி அவர்கள் பதில் சொல்லவேண்டும்.”

THE HON. DR. U. KRISHNA RAO :—“ I have no objection, Sir, if the hon. Member wants to take the credit.” (Laughter.)

SRI R. V. SWAMINATHAN :—“ Out of the newly purchased buses, may I know how many were purchased from Italy? ”

THE HON. DR. U. KRISHNA RAO :—“ None of the forty diesel buses are Italian; they are all Comer buses.”

SRI A. RATNAM :—“ புதிதாக வாங்கிய பஸ்களில் எவ்வளவு ஓடாமல் இருக்கின்றன. டீசல் பஸ்களை பெட்ரோல் பஸ்களாக மாற்றியதால் எவ்வளவு ரூபாய் செலவாகி இருக்கிறது. பெட்ரோல் பஸ்களை டீசல் பஸ்களாக மாற்றியதில் எவ்வளவு ரூபாய் செலவாகி இருக்கிறது என்பதை சொல்ல முடியுமா ? ”

THE HON. DR. U. KRISHNA RAO :—“ I am glad the hon. Member has asked that question, for there is a doubt in the public mind and I have an opportunity of clearing it. None of these new buses are out of order; they are all in good working condition. No diesel bus has been converted into a petrol bus. Many petrol buses have been converted into diesel buses. The cost of one Perkin's engine is nearly six thousand rupees. The total cost involved is nearly Rs. 4 lakhs.”

Adjudication under the Industrial Disputes Act, 1947.

* 303 Q.—**SRI A. RATNAM :** Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) how many disputes were admitted and ordered for adjudication in the State under the Industrial Disputes Act, 1947, in the year 1953;

(b) how many Trade Unions and individuals applied for adjudication; and

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(c) how many were settled, how many judgments were delivered and how many judgments were honoured by the parties?

THE HON. DR. U. KRISHNA RAO :—“(a) During the period January to October 1953, 2,699 disputes were admitted and of these, 101 disputes were referred for adjudication in the Madras (Residuary) State, under the Industrial Disputes Act, 1947.

“(b) Of the 2,699 disputes admitted, 1,865 were raised by Trade Unions and 834 by individuals.

“(c) 2,598 disputes were settled, 1,586 by agreement and 1,012 by formal conciliation. During the same period 109 awards were given by the Industrial Tribunals, of which 59 have been implemented so far.”

SRI A. RATNAM :—“தாழ்த்தப்பட்ட மக்களிடமிருந்து அரசாங்கத்திற்கு அட்ஜூடிகேஷனுக்கு விடவேண்டும் என்று ஆயிரக்கணக்கான மனுக்கள் வந்தும் நூற்றுக்கணக்கான மனுக்களை மட்டில் அனுமதித்தது ஏன்? அட்ஜூடிகேஷனுக்கு அனுப்புவதில் அரசாங்கம் என்ன நிபந்தனையை கையாளுகிறது?”

THE HON. DR. U. KRISHNA RAO :—“As I said the other day, Government have got to consider whether a *prima facie* case has been made for reference to adjudication. In coming to a conclusion, the capacity of the industry to pay and the general wellbeing of society have to be taken into account. At the present moment, the Government have the right to decide whether a particular dispute should or should not be referred for adjudication.”

SRI N. K. PALANISAMI :—“சென்னை மெட்டல் பாக்டரி, நெல்லிக் குப்பம் பாரி ஆண்ட் கம்பெனி முதலிய கம்பெனிகளில் வெள்ளைக்காரர்கள் இருப்பதால் அவர்கள் அட்ஜூடிகேஷனுக்கு விடுவதில்லை. அப்படி வெள்ளைக்காரர்கள் இருக்கும் கம்பெனிகளை அட்ஜூடிகேஷனுக்கு விடக்கூடாது என்று சர்க்காருக்கும் அவர்களுக்கும் ஏதாவது ஒப்பந்தம் இருக்கிறதா?”

THE HON. DR. U. KRISHNA RAO :—“I do not agree with the suggestion of the hon. Member that we are not referring the cases that he referred to for adjudication because the concerns are European-managed. We have to look into the wage structure and see if the industry can bear the burden. I can tell the hon. Member that we have refused to refer disputes for adjudication in a number of cases where the concerns concerned are owned by Indian interests.”

A. RATNAM :—“அட்ஜூடிகேஷன் சம்பந்தமாக ஆட்சியாளர்களுக்கு பிரஸ்தாப ஆண்டில் செலவினங்கள் எவ்வளவு? அட்ஜூடிகேஷன் தீர்ப்புக்கு இணங்காத முதலாளிகளிடையேயில் அரசாங்கம் என்ன நடவடிக்கை எடுக்கிறார்கள் என்பதைச் சொல்லமுடியுமா?”

THE HON. DR. U. KRISHNA RAO :—“I require notice of this question, as I do not have the figures with me.”

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Price of paddy in Malabar.

* 304 Q.—SRI M. NARAYANA KURUP: Will the Hon. the Minister for Finance be pleased to state—

(a) the price of paddy prevailing in free market in July 1953 in the Coimbatore zone and Malabar zone; and

(b) whether the Government have received any representation from any quarter to abolish the zonal system, and if so, what has been done?

THE HON. SRI C. SUBRAMANIAM :—“(a) The open market price of paddy in the Coimbatore zone was ranging between Rs. 17.34 to Rs. 20.38 per maund for first sort and between Rs. 16.56 to Rs. 17.96 per maund for second sort. The open market price of paddy in the Malabar zone was ranging between Rs. 21.87 to Rs. 21.97 per maund for first sort and between Rs. 21.12 to Rs. 21.23 per maund for second sort.

“(b) Yes. The Government have however decided to maintain the zonal divisions which serve to segregate the highly deficit districts and ensure that there is rational distribution of existing surpluses in each zone.”

SRI M. NARAYANA KURUP :—“In view of the fact that subsequently the disparity between the price in the two zones has been increasing still further, may I request the Government to give a second thought to their decision not to disturb the zonal system?”

THE HON. SRI C. SUBRAMANIAM :—“I have dealt with this matter at sufficient length during the budget debate. Anyhow, we will be on the watch and we will take sufficient action to put down the price.”

SRI KUNHI MOHAMED SHAFEE :—“Will the Government enquire into the causes for the difference in the price of rice in these two districts and do the needful to bring down the price of rice in the Malabar district?”

THE HON. SRI C. SUBRAMANIAM :—“According to the figures I have, there is not much of a difference between the price of first sort rice in the Coimbatore and Malabar zones. There is a difference in the price of second sort rice in the two zones. But I find that Malabar people do not make any distinction between first and second sorts. They pay almost the same price. That seems to be the difficulty.”

SRI V. R. KRISHNA AYYAR :—“There are two important factors of which the Hon. Minister may certainly be aware. One is that as against the price prevailing in Coorg, the tiny place Mahe and Coimbatore—all these three are places surrounding Malabar—the price of paddy and rice in Malabar is much higher. The second is that the rice sold in ration shops in Malabar is a free mixture of rice, insects and other foreign particles. Therefore will

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the Government see that either clean and cheap rice is sold in the ration shops or the free market price is depressed by a realignment of the zonal system? "

THE HON. SRI C. SUBRAMANIAM :—" If there is any defect in the quality of the rice, certainly I will look into it. I am interested in supplying clean and wholesome rice as far as possible. As regards the realignment of zones, the matter requires consideration. We have already considered the matter and taken a decision. If circumstances compel us to take a different decision, we will certainly take that into consideration."

SRI R. V. SWAMINATHAN :—" With regard to clause (b), I want to ask a question. The Government have abolished the zonal system except with reference to Malabar and South Kanara. The order giving effect to this arrangement has not been communicated to all departments, especially the Railways who are still insisting on the fulfilment of conditions that were prevailing before the new arrangement came into force. Are the Government aware of this fact? "

THE HON. SRI C. SUBRAMANIAM :—" We are issuing the order to all departments concerned. Perhaps it takes some time to reach them. I am sure that within a short time everything will be normal."

SRI S. RAMALINGAM :—" மலபாரில் இருக்கக்கூடிய அங்கத்தினர் களுக்கு இது ஒரு முக்கியமான பிரச்சனையாக இருப்பதால் இதற்கு அரை மணி நேரம் கொடுத்து விவாதத்திற்கு எடுத்துக்கொள்ளவேண்டும் என்று கேட்டுக்கொள்ளுகிறேன். "

THE HON. SRI C. SUBRAMANIAM :—" Sir, we had a full discussion during the budget debate."

MR. SPEAKER :—" To-day we are rising at 1-30 p.m. It is not possible to allow a half-hour debate. I am not going to allow it."

SRI V. R. KRISHNA AYYAR :—" There are two important factors which the Hon. Speaker may be pleased to bear in mind. The rice that is supplied in Malabar is very, very bad and unwholesome. Particularly in view of the epidemic that is spreading everywhere, this is very, very important. Secondly, the bitterness of the people of Malabar is so much because rice is sold cheaper in Mahe, Coorg and the neighbouring district of Coimbatore. The Government can at least see that rice from Coorg is got for sale in Malabar. All these considerations go to show that a half-hour debate is necessary, although the matter might have been covered in a general way during the budget discussion."

MR. SPEAKER :—" I will look into the matter and see whether a half-hour debate can be given to-morrow or day after to-morrow."

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Appointments of Scheduled Caste candidates in the Transport department.

*305 Q.—SRI A. RATNAM : Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether the Government received any representation from the members of the Scheduled Castes Federation Legislative Party, urging the Government to appoint more members of the Scheduled Castes in the Transport department in future vacancies;

(b) when the representations were made;

(c) whether instructions were given to the department accordingly and whether the departmental authorities carried out the orders of the Government;

(d) how many officers, clerks, drivers, conductors, cleaners, engineers, coolies, fitters and others were appointed after the date so far and how many among them were Harijans; and

(e) the percentage of Harijans in the cadre of officers, clerks, drivers, conductors, fitters, engineers, cleaners, coolies and others?

THE HON. DR. U. KRISHNA RAO :—“(a) Yes.

“(b) On 14th March 1953.

“(c) Yes and the Transport Commissioner has given adequate representation to Harijans to the extent possible, with reference to the qualifications required for the posts.”

“(d) & (e) A statement is laid on the table of the House.”

SRI A. RATNAM :—“அமைச்சர் பதில் அளிக்கும்போது டிரான்ஸ் போர்ட்டில் ஆயிரக் கணக்கான மனுக்கள் வந்தபோது ஒரு சத விதிகம் தான் தாழ்த்தப்பட்டவர்களுக்கு பிரதிநிதித்துவம் கொடுக்கப்பட்டிருக்கிறது என்று சொன்னார். ஆனால் இப்பொழுது 40 பேர்கள் வேலைக்கு அமர்த்தப்பட்டிருக்கிறார்கள். அந்த 40 பேர்களில் இரண்டு பேர்கள் தாழ்த்தப்பட்டவகுப்பைச் சேர்ந்தவர்கள். அதில் ஒருவர் கண்டக்டர், ஒருவர் பியூன் வேலைக்கு அமர்த்தப்பட்டு இருக்கிறார்கள். ஏன் 15 சத விதிகம் அளிக்கப்படவில்லை என்று கேட்டதற்கு அவர்களுக்கு வேண்டிய பிரதிநிதித்துவம் கொடுத்திருப்பதாக அவர் கூறுகிறார். அது முறையில்தான் என்பதைக் கூறுகிறேன். ஆகவே அரசாங்கம் அதில் தலையிட்டு தாழ்த்தப்பட்டவர்களுக்கு அதிகமாக வேலை கொடுப்பார்களா என்று கேட்கிறேன்.”

THE HON. DR. U. KRISHNA RAO :—“I am glad the hon. Member has put a question at the end. I said, ‘Adequate representation, to the extent possible, with reference to the qualifications required.’ The hon. Member did give me a petition along with three other hon. Members in March 1953. The Government examined the position on 6th July 1953 and gave instructions to the Transport Commissioner that, as far as possible, Harijans must be given adequate representation.”

9-40
a.m.

SRI K. VINAYAKAM :—“In view of the fact that the Transport Commissioner is the appointing authority and in view

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also of the fact that the Public Service Commission has no jurisdiction over appointments in the Transport Department, are the Government aware of the fact that the principle regarding communal representation for the members of the Backward Classes and the Scheduled Castes, other things being equal is not adhered to? Are the Government also aware of the fact that only persons coming from the West Coast, that is, outside our State, are encouraged in this Transport Department? Will the Government, therefore, pull up the officer concerned and give him proper instructions to rectify these defects? "

THE HON. DR. U. KRISHNA RAO :—" I am glad that the hon Member asked this question, because there is a misapprehension in the minds of some hon. Members which I would like to remove. The impression is that people from the West Coast are preferred for appointment. Well, this is a common complaint made to me by many people. I did make an examination into the matter and the facts do not warrant this accusation. Sir, I am prepared to say, and I am glad the hon. Member also has said, that the appointment is not made by me but that it is made by the Transport Commissioner under the powers delegated to him under the relevant Act. The question of referring all these appointments to the Public Service Commission is being examined."

SRI V. BALAKRISHNAN :—" In view of the frequent complaints of partiality with regard to appointments, will the Hon. Minister be pleased to consider the desirability of constituting an Appointing Board? "

THE HON. DR. U. KRISHNA RAO :—" As I said, these complaints have been examined and, so far as my knowledge goes, the facts do not warrant the accusation. As I said, the question of making these appointments will, in the near future, go to the Public Service Commission, when I hope all these doubts and misgivings will be removed."

SRI M. PALANIYANDI :—" கனம் சபாநாயகர் அவர்களே, மந்திரி அவர்கள் சொல்லும்போது வெஸ்ட் கோஸ்ட் என்ற வார்த்தையை உபயோகித்தார்கள். அப்படி உபயோகிக்கும்போது அது மலபார் மட்டுமா அல்லது திருவாங்கூரும் கொச்சினும் சேர்ந்ததா என்று கேட்கிறேன். "

THE HON. DR. U. KRISHNA RAO :—" Those who make the allegation must know to which place they refer. As I said, there is no such partiality as alleged. I am really unable to answer the question of the hon. Member Sri Palaniyandi."

SRI K. VINAYAKAM :—" While answering a supplementary question, the Hon. Minister was pleased to state that no discrimination was shown between people coming from our State and those coming from other States. Is the Hon. Minister aware of the fact that people coming from other States, especially, from the West Coast and Travancore-Cochin, give wrong addresses—they give their residential addresses in the Madras State—and thus score an advantage over others? "

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THE HON. DR. U. KRISHNA RAO :—“ The West Coast is still in our State. It is not a foreign State. But if the hon. Member would give me any definite instance, I shall look into it.”

SRI M. PALANIYANDI :—“ வெஸ்ட் கோஸ்ட் நம்முடைய ராஜ்யத்தைச் சேர்ந்ததுதான். திரு பாங்கூர்கொச்சியில் உள்ளவர்கள் இங்கே அட்ரஸ் கொடுத்து பதிவு செய்துகொண்டிருக்கிறார்கள். அப்படி பதிவு செய்து கொண்டிருப்பவர்களை வேலைக்கு எடுத்துக்கொள்ளுகிறார்கள் என்று சொல்லுகிறார்கள். அதை மறுக்கமுடியுமா என்று கேட்கிறேன்.”

THE HON. DR. U. KRISHNA RAO :—“ Mere assertion does not confirm the fact. I should like the hon. Member to give me names and addresses of such persons and I shall verify the matter.”

Constitution of District Planning Boards.

* 306 Q.—**SRI K. R. VISWANATHAN :** Will the Hon. the Chief Minister be pleased to state—

(a) the names in the case of non-official and the designation in the case of official personnel of Tiruchirappalli District Planning Board;

(b) the ameliorative and development works recommended by the Board for Udaiyarpalayam taluk for the first Five-Year Plan; and

(c) whether the Government will place a copy of the rules governing the constitution of these planning boards on the table of the House?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. the Chief Minister) :—“ (a) to (c) A statement ^a is laid on the table of the House.”

SRI K. R. VISWANATHAN :—“ Sir, this question was given notice of in April 1953. Already a period of eight months has elapsed. I think that there should be something wrong either with the Legislature Secretariat . . .”

MR. SPEAKER :—“ There is nothing wrong with the Legislature Secretariat. As soon as we receive notice of a question, we pass it on to the concerned department of the Government? ”

SRI K. R. VISWANATHAN :—“ Or in the lower rungs of the department concerned . . .”

MR. SPEAKER :—“ That is, the department of the Government.”

SRI K. R. VISWANATHAN :—“ Yes, Sir. If this is the fate of the questions emerging from the Assembly, it is no wonder that there is red tape in every department of the Government, especially, in the Revenue Department. So, may I suggest the Government to disclose the reasons for such delay and also to see

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their way to fix a time-limit within which the answers to the questions emerging from the Assembly should be given by the department concerned? "

THE HON. SRI C. RAJAGOPALACHARI :—" May I know, Sir, what the hon. Member is referring to? I am sorry I have not been following him."

MR. SPEAKER :—" The hon. Member says that he gave notice of his question in April 1953 and that the answer is given only now. So, he wants to know the reasons for the delay."

THE HON. SRI C. RAJAGOPALACHARI :—" Sir, I may inform the hon. Member that the question has been marked for me also. At the time when the question was given notice of, I was in charge of Planning. So, a statement has been prepared and placed on the table of the House. The delay is due to causes inherent in the question itself. When a very comprehensive question like question No. 306 is put, delay may naturally be expected. I shall read the question, Sir. The hon. Member wants to know—

- ' (a) the names in the case of non-official and the designation in the case of official personnel of Tiruchirappalli District Planning Board;
- (b) the ameliorative and development works recommended by the Board of Udayarpalayam taluk for the first Five-Year Plan ; and
- (c) whether the Government will place a copy of the rules governing the constitution of these Planning Boards on the table of the House.'

Naturally, all inquiries take time."

SRI K. R. VISWANATHAN :—" A simple perusal of the answer given will convince anyone that there need be no time at all to answer this question. But I do not want to dilate upon that. I only want that a time-limit should be fixed within which answers to questions emerging from the Assembly should come from any department whatsoever."

THE HON. SRI C. RAJAGOPALACHARI :—" A suggestion is made, Sir. I take it that it is a suggestion and not a supplementary question. But I might suggest also that when an answer gets ready but the House gets prorogued, the question has to be taken up only at the next session."

MR. SPEAKER :—" There are only ten minutes more left for questions and I have to cover the remaining questions within that time. I therefore pass on to the next question."

Multi-purpose co-operative societies in South Kanara.

* 307 Q.—SRI M. NARAYANA NAMBIAR: Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) the number of multi-purpose co-operative societies registered so far in South Kanara district,

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(b) the total amount of share capital collected; and

(c) the number of societies working with share capital of less than rupees one thousand each?

THE HON. DR. U. KRISHNA RAO :—“(a) 21.

“(b) Rs. 22,222.

“(c) 14.”

DR. K. B. MENON :—“Is it the policy of the Government to encourage the fixation of such heavy sums as share capital in co-operative societies?”

THE HON. DR. U. KRISHNA RAO :—“I would like the hon. Member to give notice of a separate question.”

SRI M. NARAYANA NAMBIAR :—“Is it a fact that the Government have issued orders that no society with a share capital of less than a thousand rupees should be registered? If so, will they reconsider their decision and instruct the authorities concerned that societies with a share capital of Rs. 250 each may be registered?”

THE HON. DR. U. KRISHNA RAO :—“This is a supplementary question which has nothing to do with the original question. I would, therefore, request the hon. Member to give notice of a separate question.”

Starvation deaths in Palghat town.

* 308 Q.—SRI K. C. GOPALAN UNNI: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government have received reports of starvation deaths (*Desabhimani*, dated 7th August 1953) in Palghat town;

(b) whether the Government have received reports from the district authorities of Malabar regarding the influx of destitutes from Malabar to Tamil Nad and from Tamil Nad to Malabar; and

(c) if so, what action the Government have taken to resettle these people in their home districts?

THE HON. SRI M. A. MANICKAVELU NAICKER :—

“(a) The Government have perused the news report which appeared in the *Desabhimani*, dated 8th August 1953. The exact cause of the death which occurred in the Big Bazaar at Palghat is not known. The other death which occurred in front of the Post office is said to be of a beggar from Tamil Nad and that it was due to paralysis and old age and not due to starvation. It is reported that the allegation that instances of starvation deaths are quite common in Palghat town is unfounded.

“(b) The Government have received reports that there has been no migration of destitutes from the Malabar district into Tamil Nad but that there is some migration of beggars from Tamil Nad especially from the Coimbatore district into the Malabar district.

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“(c) The seasonal conditions in the Coimbatore district have improved considerably since and it is hoped that the destitutes will return to their native villages.”

9-50
a.m.

SRI K. C. GOPALANUNNI :—“பாவலகாடு கண்ணில் பதினா மூன்று உடையிடுகின்றன. அப்படியானால் கைத்தறி நெசவு தொழிலாளி நோயால் இறந்ததாக பதில் சொல்லப்படுகிறது. தமிழ் நாட்டில் உள்ள வேலை யில்லாத திண்டாடும் பிச்சைக்காரர்கள் அங்கு சென்றிருக்கிறார்கள். நேற்று முன் தினம் கூட தமிழ் நாட்டுப் பிச்சைக்காரர்கள் டில்லிக்குக் கூட சென்றிருப் பதாக கனம் நிதி மந்திரி அவர்கள் சொன்னார். அவ்விதம் டில்லியில் போய் கூட பிச்சை எடுக்கும்படியான நிலையில் தமிழ் நாட்டு மக்கள் இருக்கிறார்கள். அதை நீக்குவதற்கு அரசாங்கம் முன் வருமா ?”

THE HON. SRI M. A. MANICKAVELU NAICKER :—
“I have not seen any such report, Sir.”

SRI M. PALANIYANDI :—“பட்டினியால் இறந்தாலும் சரி, வேலை யில்லா திண்டாட்டத்தால் இறந்தாலும் சரி, கைத்தறி நெசவு தொழிலாளி நோயால் இறந்ததாக பதில் சொல்லப்படுகிறது. தமிழ் நாட்டில் உள்ள வேலை யில்லாத திண்டாடும் பிச்சைக்காரர்கள் அங்கு சென்றிருக்கிறார்கள். நேற்று முன் தினம் கூட தமிழ் நாட்டுப் பிச்சைக்காரர்கள் டில்லிக்குக் கூட சென்றிருப் பதாக கனம் நிதி மந்திரி அவர்கள் சொன்னார். அவ்விதம் டில்லியில் போய் கூட பிச்சை எடுக்கும்படியான நிலையில் தமிழ் நாட்டு மக்கள் இருக்கிறார்கள். அதை நீக்குவதற்கு அரசாங்கம் முன் வருமா ?”

THE HON. SRI M. A. MANICKAVELU NAICKER :—
“The Government are trying to relieve distress of this nature as far as possible.”

SRI T. C. NARAYANAN NAMBIAR :—“Just now the Hon. Minister was replying that he expected the destitutes from Tamil Nad who have migrated to Malabar to return to their home districts as a result of the improvement in seasonal conditions. Are the Government aware that these destitutes have migrated to far interior parts and even to the heart of Malabar and there is no hope of their returning back to their home districts and if so, may I know whether the Government will take immediate steps to see that these people are resettled.”

THE HON. SRI C. RAJAGOPALACHARI :—“I would ask the hon. Members to remember or at least assume that the jurisdiction for these destitutes is an all-India jurisdiction. It is impossible to create effective barriers and it is not also not humanitarian to create effective barriers.”

SRI R. V. SWAMINATHAN :—“May I know whether the people from Malabar have migrated into the Madras City and they have gone even into the interior towns and villages?”

THE HON. SRI C. RAJAGOPALACHARI :—“The hon. Member is probably referring to middle classes.”

SRI T. C. NARAYANAN NAMBIAR :—“Sir, I have no objection at all to Tamil destitutes coming into Malabar and as a matter of fact we are according them cordial welcome and giving them all sorts of help. The point is, these people are suffering a lot there, and some help should be given to them at Government level so that these people may be resettled.”

SRI V. R. KRISHNA AYYAR :—“Precisely, as pointed out by Mr. Narayanan Nambiar, Tamilians are certainly welcome to

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- Malabar. These poor destitutes are suffering a lot. The Government must make some more grant to the destitute homes in Malabar and places in Tamil Nad also so that they may take in these poor destitutes into these homes. Will the Government come forward to take this as a serious, immediate and urgent problem and sanction relief accordingly instead of expecting natural conditions to recall them to their own homes? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—

" Yes, Sir, we have asked the Collector to house these beggars in the Kozhikode Poor Home until they can go back to their places and the Government have promised to meet the expenses thereto."

SRI C. KANDASAMY :—" பட்டினிச் சாவு என்பது கிடையாது என்று அரசாங்கம் பெரும்பாலும் கூறி வருகிறது. பட்டினி சாவுக்கு வியாக்க்யானம் அரசாங்க தரப்பிலிருந்து என்ன தரப்படுகிறது என்பதை அறிந்து கொள்ள விரும்புகிறேன்."

THE HON. SRI M. A. MANICKAVELU NAICKER :—

" The paraphrase is that starvation death is not death which the hon. Members think of."

Award of prizes for the best books in Tamil and Malayalam.

* 309 Q.—SRI M. NARAYANA KURUP: Will the Hon. the Minister for Finance be pleased to state—

(a) whether the Government have decided to award prizes for the best books in Tamil and Malayalam for 1952-53; and

(b) what is the value of each prize and what is the basis on which prize amounts are fixed?

THE HON. SRI C. SUBRAMANIAM :—" (a) Yes, Sir.

" (b) According to the scheme relating to the award of prize for the best books, three prizes of the value of Rs. 500 each have to be awarded to the authors of the best books in Malayalam and six prizes of the value of Rs. 500 each to the authors of the best books in Tamil. But in 1952-53, the executive committee of the Pan-Kerala Academy decided to award prizes of Rs. 250 each for the six best books in Malayalam (instead of three prizes at Rs. 500 each, as the literary quality of the books selected did not deserve Rs. 500 each and also to encourage more authors. The Academy's recommendation was accepted.

As for the Tamil books, the Tamil Academy recommended the award of only five prizes for the best books selected by the judges appointed by it. The recommendation was accepted."

SRI M. S. MOGRAL :—" May I know whether the Government have decided to award prizes for the best book written in Kannada? If not, what is the basis for such discrimination? "

THE HON. SRI C. SUBRAMANIAM :—" In this question, reference has been made only to Tamil and Malayalam. I will consider the suggestion made by the hon Member."

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Unauthorized occupation of house-sites in Gingee taluk.

* 310 Q.—SRI K. ARANGANATHAN: Will the Hon. the Minister for Land Revenue be pleased to state the amount collected as fine for unauthorized occupation of house-sites in fasli 1362 in Gingee taluk, South Arcot district?

THE HON. SRI M. A. MANICKAVELU NAICKER:—
“The amount is Rs. 367-4-0.”

SRI K. ARANGANATHAN:—“1945-ம் ஆண்டிலிருந்து தொடர்ந்து பூராவும் மனை இல்லாதவர்கள் மனைகள் கொடுக்கவேண்டும் என்று அரசாங்கத்தைக் கேட்டுக்கொண்டு வருகிறார்கள். மனைகளை ஜாரி செய்யவேண்டும் என்று அரசாங்கத்திற்கு மனுக்கள் கொடுத்திருக்கிறார்கள். அதன்பேரில் ரெவின்யூ டிபார்ட்மென்ட் எந்த விதமான நடவடிக்கையும் எடுக்காமல் இருக்கிறார்கள். ஆதலால் உடனடியாக நடவடிக்கைகள் எடுக்கும்படியாக தாசில்தார்களுக்கு சர்க்கார் தாக்கீது அனுப்புமா?”

THE HON. SRI M. A. MANICKAVELU NAICKER:—
“We cannot regularize objectionable cases, but I may inform the hon. Member that these cases will be speeded up as far as possible.”

Import of foodgrains into the State.

* 311 Q.—SRI K. ARANGANATHAN: Will the Hon. the Minister for Finance be pleased to state the quantities of foodgrains imported into Madras State for distribution in this State during 1952-53?

THE HON. SRI C. SUBRAMANIAM:—“The quantities of foodgrains imported into Madras State for distribution in 1952 and 1953 are as given below:—

Foodgrains.		1952 (in tons).	1953 up to date (in tons).
Rice		18,8417	156,376
Wheat and its products.		80,572	100,087
Millets		148,139	67,176 ”

Report on the working of the Madras Preservation of Private Forests Act in Malabar.

* 312 Q.—SRI K. C. GOPALAN UNNI: Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government receive periodical reports from the Collector of Malabar regarding the operation of the Madras Preservation of Private Forests Act;

(b) when the last report was received; and

(c) whether the Government will be pleased to place a copy of the same on the table of the House?

THE HON. SRI M. A. MANICKAVELU NAICKER:—

“(a) No. The Collector reports on the working of the Act as and when difficulties arise.

“(b) The last report was received on 5th October 1951.

“(c) A copy of the report is placed on the table of the House.”

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SRI K. C. GOPALAN UNNI :—“ കലക്ടറുടെ റിപ്പോർട്ടിൽ പറഞ്ഞിട്ടുള്ള സംഗതികളെ സംബന്ധിച്ചു ഗവണ്മെന്റ് വല്ല നടപടിയും എടുത്തിട്ടുണ്ടോ ? ”

MR. SPEAKER :—“ Probably the hon. Member wants to know whether the Government have taken any action on the report of the Collector.”

THE HON. SRI M. A. MANICKAVELU NAICKER :—
“ Such action as was found necessary is being taken, Sir.”

Expulsion of an expectant mother from the Government Hospital, Tellicherry.

* 313 Q.—**SRI M. NARAYANA KURUP** : Will the Hon. the Minister for Health be pleased to state—

(a) whether it is a fact that a woman named Ammini—an expectant mother—was admitted in the Government Hospital, Tellicherry on 10th August 1953 and was driven out of the hospital on the 19th and that the next day she died in her house at Palayad with labour pains unattended;

(b) whether it is a fact that another woman was admitted in the hospital simultaneously with the expulsion of Ammini; and

(c) whether the Government have received any representation or report from the public touching this incident, and if so, what has been done?

THE HON. SRI A. B. SHETTY :—“ (a) It is a fact that a pregnant woman (8 months) by name Ammini was admitted in the Government hospital, Tellicherry, on 10th August 1953 for treatment for glossitis and oedema of lower extremities. It is not correct to say that she was driven out of the hospital. She was discharged from the hospital after a week's treatment on 19th August 1953 at her own request, as she wanted to celebrate the Onam festival and come back for treatment after the festival was over. She was very much better after the treatment in the hospital. It is learnt that she died on the date subsequent to the day of her discharge from the hospital. The Government are not aware of the circumstances under which the patient died.

“ (b) No, Sir.

“ (c) Yes, Sir. A thorough enquiry into the case was made, but nobody can be blamed for the incident, as the treatment given to the patient in the hospital was fully adequate and as she was much better after the treatment and as her discharge from the hospital was made at her own request.”

SRI M. NARAYANA KURUP :—“ May I know the nature of the enquiry that was made and whether it is not a fact that not even the husband and child of the deceased were asked a word about these happenings by the Committee or whoever it is that might have conducted the enquiry.”

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THE HON. SRI A. B. SHETTY :—" The District Medical Officer has personally enquired into the matter and he has also recorded the statement of the lady Assistant Surgeon who treated the patient."

DR. K. B. MENON :—" Shall I take it as a typical instance of white-washing by the Government? There has been such a considerable amount of agitation in the place on account of this incident. Is there any difference between discharge and driving out of the patient from a hospital? May I know whether any compensation was given to the family of the deceased and whether the Government will go into the case very carefully? "

THE HON. SRI A. B. SHETTY :—" My information is that she went out of the hospital at her own request along with some other patients who similarly wanted to avail themselves of the opportunity to celebrate the Onam festival in their own homes."

Flood relief in Malabar.

10 a.m. * 314 Q.—SRI M. NARAYANA KURUP: Will the Hon. the Minister for Land Revenue be pleased to give full details of the extent of damage suffered by Malabar on account of July floods and the nature and extent of relief granted by the Government?

THE HON. SRI M. A. MANICKAVELU NAICKER :—" The answer ^a is placed on the table of the House."

SRI M. NARAYANA KURUP :—" From the answer placed on the table of the House, it is found that about 2,500 acres of land were damaged and that the loss of paddy was about 600 tons. But in the relief granted, nothing is mentioned about revenue remission. May I know whether the Hon. the Minister is in a position to state whether any remission of land revenue was granted on this account and, if so, what amount? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—" A separate question may be put."

SRI V. R. KRISHNA AYYAR :—" Apart from the relief to ryots, the Hon. the Minister had been plied with various representations regarding revenue remission. May I know whether those cases also were taken into account and relief was provided? "

THE HON. SRI M. A. MANICKAVELU NAICKER :—" The latest request of the hon. Member is partially conceded."

Hospital Advisory Committees in Malabar.

* 315 Q.—SRI K. KUNHI MOHAMED SHAFEE: Will the Hon. the Minister for Health be pleased to state—

(a) the names of medical institutions in Malabar district where Hospital Advisory Committees have been formed and are functioning; and

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(b) the names of hospitals and dispensaries where such Advisory Committees have not yet been formed?

THE HON. SRI A. B. SHETTY :—“(a) Advisory Committees have been formed and are functioning in the following Government Medical Institutions :—

- (1) Government Headquarters Hospital, Kozhikode.
- (2) Government Women and Children Hospital, Kozhikode.
- (3) Government Hospital, Cannanore.
- (4) Government Hospital, Tellicherry.
- (5) Government Hospital, Manantody.
- (6) Government Hospital, Badagara.
- (7) Government Hospital, Manjeri.
- (8) Government Hospital, Palghat.
- (9) Government Hospital, Ponnani.

“(b) An Advisory Committee has not yet been constituted for the Government Hospital, Perintalmanna, as the Hospital was taken over by Government only in November 1952. The question has been taken up by the Director of Medical Services.”

SRI K. KUNHI MOHAMED SHAFEE :—“May I know the authority who makes the selection or appointment of members of these committees?”

THE HON. SRI A. B. SHETTY :—“The Government make the appointment.”

SRI A. APPU :—“How often do these committees meet, Sir? Can an individual member visit the hospital and record his opinion in the Visitors' Book?”

THE HON. SRI A. B. SHETTY :—“The Committee can meet as often as necessary. It is open to the Members to visit the hospital at any time during working hours.”

Cases of suicide due to poverty and starvation.

* 316 Q.—SRI M. NARAYANA KURUP: Will the Hon. the Minister for Finance be pleased to state whether it is a fact that at the inquest over the following cases of suicide, the panchayatdars have opined that suicide was the result of poverty and starvation :—

(a) suicide of Ammini Amma of Kollam near Quilandi, North Malabar, on 15th August 1953; and

(b) suicide of T. R. Ramakrishna Ayyar living in Venkitachalapati Ayyangar's lane, Ramanathapuram Road, Madurai, on 25th August 1953?

THE HON. SRI C. SUBRAMANIAM :—“(a) The name of the deceased in this case was Nani Amma and not Ammini Amma. The opinion of the panchayatdars was that the

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deceased was having a sickly child and had been discarded by her husband, and that she committed suicide because she had no proper means of livelihood.

“(b) The name of the deceased in this case was T. R. Rādhakrishna Ayyar, and not T. R. Ramakrishna Ayyar. The panchayatdars were unanimously of the opinion that the deceased died as the result of drinking coffee mixed with sodium nitrate.”

Scale of pay of Municipal Sanitary Inspectors.

* 317 Q.—SRI V. R. KRISHNA AYYAR: Will the Hon. the Minister for Health be pleased to state—

(a) the scale of pay sanctioned by Government for Sanitary Inspectors in municipalities; and

(b) whether any representation has been received from the Association of Qualified Sanitary Inspectors regarding increase of pay; and what action has been taken thereon?

THE HON. SRI A. B. SHETTY:—“(a) The scale of pay fixed for Sanitary Inspectors under Municipal Councils is Rupees 60—3—120.

“(b) Representations for the revision of the scale of pay of Sanitary Inspectors have been received by the Government and they are under consideration.”

SRI V. R. KRISHNA AYYAR:—“Could the Government give some indication when they would be able to make up their mind at all?

THE HON. SRI A. B. SHETTY:—“As early as possible.”

Improvements to the Badagara hospital.

* 318 Q.—SRI C. KUNHIRAMA KURUP: Will the Hon. the Minister for Health be pleased to state—

(a) what all improvements have been introduced in the Badagara hospital after the hospital was taken over by the Government; and

(b) whether the Government have under consideration schemes to construct a new building for the hospital and also to supply better equipment?

THE HON. SRI A. B. SHETTY:—“(a) After the hospital at Badagara was taken over by Government in 1951, a shed to accommodate 17 patients has been constructed by public donation and two nurses have been added to the staff of the hospital;

“(b) The acquisition of a plot of land for the construction of a new hospital building is under consideration. The employment of the additional staff and purchase of necessary equipment for the hospital will be considered by the Government in due course.”

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SRI C. KUNHIRAMA KURUP :—“ May I know when the Government propose to construct the new building? ”

THE HON. SRI A. B. SHETTY :—“ It is a matter which has to be considered.”

DR. K. B. MENON :—“ Are the Government aware that two sites were chosen for the hospital but were discarded? Will the Government please enquire whether there are interested persons who are obstructing construction? ”

THE HON. SRI A. B. SHETTY :—“ I will enquire into the matter.”

Construction of a channel from the Cauvery to Pudukkottai division.

* 319 Q.—SRI V. BALAKRISHNAN : Will the Hon. the Minister for Public Works be pleased to state—

(a) whether a sum of rupees five crores has been earmarked, promised or provided by the Government of India to Madras State for the construction of a channel from the Cauvery to Pudukkottai division of Tiruchirappalli district;

(b) if so, when; and

(c) when the construction is likely to begin and the total cost of the scheme?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ (a) No.

“ (b) & (c) Do not arise.”

SRI V. BALAKRISHNAN :—“ In view of the public accusation of the Member of Parliament representing Pudukkottai that this Government are not utilising the offer of help promised by the Government of India in terms of clause (a) of my main question thereby forming hostility against this Government, will this Government please consider the desirability of issuing a communique setting out the true position? ”

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ There is no information available with this Government as to the allegations.”

Hand-book of Government Orders and circulars.

* 320 Q.—SRI A. RATNAM : Will the Hon. the Minister for Law be pleased to state whether the Government are publishing a hand-book annually compiling all the relevant Government Orders and circulars?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—“ No.”

SRI A. RATNAM :—“ கல்வி சம்பந்தமான அறிக்கைகளையும் உத்தரவுகளையும் அரசாங்கத்தின் முக்கியமான குறிப்புகளையும் வருஷா வருஷம் புத்தக ரூபமாகக் கொண்டு வரவேண்டும் என்று மனுக்கள் வந்து கொண்டிருக்கின்றனவா? அப்படி வந்திருந்தால் அதன்மேல் அரசாங்கத்தின் நடவடிக்கைகள் என்ன? ”

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THE HON. SRI K. P. KUTTIKRISHNAN NAIR :—" The Government are considering that question."

Allotment of staff from the Harijan Welfare Department to Andhra State.

* 321 Q.—SRI A. RATNAM : Will the Hon. the Minister for Animal Husbandry be pleased to state how many persons from the Harijan Welfare Department were transferred to Andhra State under each of the following heads, viz., Director, Deputy Directors, Office Assistants, Supervisors, Upper Division Clerks, Lower Division Clerks, Typists, Special Inspectors, Overseers, Attenders, Watchmen, etc.?

THE HON. SRI V. C. PALANISWAMI GOUNDER :—" The number of persons 'allotted' to the Andhra State is—

One Personal Assistant,

Three Office Assistants,

One Head Clerk (Agency Section),

Five Lower Division Clerks, and

One Typist.

" In respect of the other categories, no one was 'allotted'.

" The number of 'transferred Officers' to the Andhra State is 'Nil'."

Purchase of coal for the Power House at Basin Bridge.

* 322 Q.—SRI A. RATNAM : Will the Hon. the Minister for Public Works be pleased to state—

(a) how many tons of coal are purchased annually for the consumption of the Power House at Basin Bridge, Madras;

(b) whether the coal available at Neyveli, South Arcot district, has been tried in the Power House at Basin Bridge; and

(c) what is the cost of coal per ton purchased for the Power House last year?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—" (a) About 120,000 tons on the average.

" (b) Large scale mining of lignite in Neyveli is yet to be started. But, as an experimental measure, some samples of lignite from Neyveli were tried in the Power Station in 1952, with encouraging results.

" (c) Rs. 34 to Rs. 36-6-3 per ton including freight charges."

Electricity Extension Scheme for the Gingee taluk.

* 323 Q.—SRI K. ARANGANATHAN : Will the Hon. the Minister for Public Works be pleased to state the programme of the Government for extending and supplying electric energy as

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mentioned in the Hon. Public Works Minister's reply to starred question No. 79 at page 564 of the Official Report of the Madras Legislative Assembly Debates, dated 19th March 1953?

THE HON. RAJA SRI SHANMUGA RAJESWARA SETHUPATHI :—“ The Government have reviewed the policy regarding the financing of electricity extension schemes and have cancelled the voluntary loan contribution scheme introduced in 1952. They have also decided that certain extension schemes estimated to cost Rs. 54 lakhs which were stopped in 1952 on account of the cut in the budget grant should be proceeded with. New extension schemes estimated to cost Rs. 26 lakhs have also been ordered to be taken up in the current year. The schemes will be taken up in the order of priority and a provision of Rs. 50 lakhs will be made in the current year's budget for the purpose.

“ Schemes for extension of supply and individual service connections will be taken up strictly in the order of priority and with reference to the availability of funds. Where, however, the prospective consumers offer loan contributions voluntarily to meet the full cost of an extension scheme or a service connection, that scheme or service connection as the case may be, will be taken up for execution out of turn under 'top priority'.”

* 324 Q.—SRI K. R. VISWANATHAN :—“ I want this question to be taken up to-morrow.”

MR. SPEAKER :—“ I have no objection.”

Report of the Tripartite Committee on the Textile Industry.

* 325 Q.—SRI M. PALANIYANDI : Will the Hon. the Minister for Industries and Labour be pleased to state—

(a) whether the Government are in receipt of the Tripartite Committee Report on the Textile Industry;

(b) if so, whether the Government will be pleased to place it on the table of the House; and

(c) when the Government propose to implement its provisions?

THE HON. DR. U. KRISHNA RAO :—“ (a) Yes, Sir.

“ (b) The Committee's report is under print and copies of the report will be placed in the Legislature Library for reference by the Members.

“ (c) The Committee is not a statutory committee and the parties are not bound to implement the recommendations of the Committee.”

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Calendar cases disposed of by the Chief Presidency Magistrate.

* 326 Q.—SRI S. DEIVASIGAMANY: Will the Hon. the Minister for Law be pleased to state—

(a) (i) the number of calendar cases disposed of by the Chief Presidency Magistrate from 1st January to 31st October 1953;

(ii) the number of cases in which only fines were imposed on the accused;

(b) (i) the number of those cases in which fines were paid by the accused;

(ii) the number in which fines were not paid; and

(c) the number of those cases in which distraint warrants were issued for collecting such fines?

THE HON. SRI K. P. KUTTIKRISHNAN NAIR:—“(a) (i) 3,955.

(ii) 3,344.

“(b) (i) 2,628.

(ii) 716.

“(c) 1.”

SRI R. V. SWAMINATHAN:—“This is an important question and I want to put supplementaries.”

MR. SPEAKER:—“It is 10-10 a.m. now. I cannot allow supplementaries.”

* 327 Q.—SRI P. RANGASWAMI REDDIAR: I want this to be taken up to-morrow.”

MR. SPEAKER:—“I have no objection. Questions over.”

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—MESSAGE FROM THE GOVERNOR *RE* SLUM IMPROVEMENT (ACQUISITION OF LAND) BILL, 1953.

MR. SPEAKER:—“I have to announce to the House that I have received a message, dated 17th December 1953, from the Governor of Madras—

“In pursuance of Article 207, clause (3) of the Constitution of India, I, Sri Prakasa, Governor of Madras, hereby recommend to the Madras Legislative Assembly the consideration of the Madras Slum Improvement (Acquisition of Land) Bill, 1953.”

10-10 a.m. SRI K. R. VISWANATHAN:—“On a point of information, Sir. May I know how long will the present session continue?”

MR. SPEAKER:—“I think the Hon. Leader of the House may be able to give an answer.”

THE HON. SRI C. SUBRAMANIAM:—“My expectation is that it will continue till 9th January 1954.”

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SRI P. RANGASWAMI REDDIAR :—“ But 9th is a holiday. I think the Government have declared 9th January a compensation holiday.”

THE HON. SRI C. SUBRAMANIAM :—“ We shall work on the 9th and declare some other day as compensatory holiday.”

III.—GOVERNMENT BILLS.

(1) THE MADRAS PRESERVATION OF PRIVATE FORESTS (AMENDMENT) BILL, 1954.

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Sir, I beg leave to introduce the Madras Preservation of Private Forests (Amendment) Bill ^a, 1954, and move—

‘ That the Bill be taken into consideration at once ’.

“ Sir, the Madras Preservation of Private Forests Act was last extended in the year 1951 by Act XIII till 2nd December 1953. It was then thought that a comprehensive piece of legislation regarding the Forest Act would be completed by that time. But that could not be done. The Act expired on 2nd December 1953. So it was necessary to extend the life of the Act and it was done by the issue of an Ordinance on 2nd December 1953. We have now come here to regularize the Ordinance. When the matter is so simple, I am surprised to find one hon. Member, I mean Sri Ramalingam, moving an amendment that this Bill be referred to a Select Committee. I do not know what there is in this Bill to be referred to a Select Committee. What is sought to be done by the present Bill? We simply regularize the Ordinance and extend the life of the parent Act. That is all. There is already a Select Committee which is going into the provisions of the original Act to make suitable improvements. When such is the case, I do not know why an amendment that the present Bill be referred to a Select Committee should be moved.”

MR. SPEAKER :—“ Motion moved—

‘ That the Madras Preservation of Private Forests (Amendment) Bill, 1954, be taken into consideration at once.’ ”

SRI S. RAMALINGAM :—“ I am not moving the amendment I have given notice of to the effect that the present Bill be referred to a Select Committee.”

SRI V. R. KRISHNA AYYAR :—“ Since the present Bill is one dealing with the preservation of private forests which are found mostly in Malabar and South Kanara, I wish to say a few words regarding how badly this Act is being worked and how it is abused in the actual working of it by the departmental officials. I shall point out the blemishes and pitfalls in the working of it. No doubt this Ordinance merely seeks to extend the life of the previous Act. Beyond that, it does not say anything. No new principle is now being enunciated. How is the Act worked in Malabar and South Kanara? It is well known that those two

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places are noted for their forest wealth. Even though the aim of the Act is a laudable one, in the actual working of it, it is put to all sorts of misuse by the officials in charge of its working. I am not casting aspersions against anyone in particular. By both the Revenue and Forest Departments being in charge of the work concerning the preservation of private forests, the result has been that two departments are running a sort of three-legged race. The Act is put to much abuse. Forest rangers and guards who are so meagrely paid and whose salaries are not sufficient for their subsistence easily fall a prey to big timber traders. There is no use blaming officials inasmuch as they are paid meagrely and as such easily succumb to the temptation of the bigwigs of the timber trade. Suffice it to say that the working of this Act, the Madras Preservation of Private Forests Act are and the enforcement of it by the officials in charge, are far from satisfactory.

"I shall now come to the inordinate delay with which one comes across in the matter of issue of permits for felling of trees. Enormous amount of red-tapism has crept in. In spite of the fact that the D.F.O. (District Forest Officer) is at the top, who is it that actually scrutinizes the application for permits? It is the petty clerks at the bottom. Who is it that actually supervises the work of felling operations? It is the forest ranger. Can we say that he is above suspicion and that he would not succumb to the temptation of the rich timber traders? No, surely not. They are meagrely paid and it is but natural that they would succumb to the temptation easily. I can specifically say that when a permit is given to a private trader for the felling of 100 trees, it usually happens that taking advantage of the petty officials in charge of supervision and maintenance of forests, the trader, who is a wealthy man, usually gets away with a larger number—(of course he sees to it that the petty officials who helped him are sufficiently rewarded). Nobody seems to bother about the way in which our forests are exploited. Nobody takes care to preserve our forest wealth. More often than not they forget (I mean they who are put in charge of the work of preservation of forests) the fact that forests are our national wealth. Looking at the picture from one angle, we cannot blame the petty officials for it is but natural that due to poverty they succumb to the temptation of bribery. If an application for a permit is made, it usually happens that six months at least elapse before any investigation is carried out and as is but usual no tangible result is achieved. In the matter of issue of permits the Government adopts a circuitous procedure. What is the result? A permit usually reaches a man who has applied for it after the lapse of considerable time. If a man applies from a particular place, the application will go to Kozhikode, which is the official headquarters of District Collector. The journey will then proceed from the Forest to the Revenue Department. It will come to the Tahsildar, Deputy Tahsildar and to the village munsif. From the bottom, right again it will be sent back to the Forest Department and by the time it goes to the District Forest Officer, several months would have elapsed. It usually happens that the big merchants, I mean the timber traders,—I

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have referred to them as 'sharks' in my last speech—somehow get the permits, go on felling trees far in excess of the permit and go away unpunished. But the contrast is glaring when a petty villager who cuts down branches for either domestic or some other purpose or who tries to cultivate on a patch of reserved forest land is brought to book and is punished. These gullible folk, these poor ryots get frustrated, and are put to trouble while the rich walk off merrily with their bounty. That is the present state of affairs obtaining in our forest administration.

* I shall now come to the 'working plan'. The Madras Preservation of Private Forests Act requires that an owner of a private forest should submit a 'working plan' detailing the way in which the forest would be regenerated. But what is it that the authorities do with the 'working plan'? Do they approve them within a reasonable time? The answer is only in the negative. I am sorry to say it. But that is what is happening. I am sure that the 'working plans' are not properly scrutinized. The forests are not kept properly as is laid down under the Act. What is the result? The people are not at all satisfied with the way in which the Madras Preservation of Private Forests Act is enforced. It has become scandalous in its working.

"I, therefore, urge upon the Government to bestow their attention in rectifying the defects I have pointed out, viz., (1) the red-tapism prevalent in the issue of permits, (2) the abuse to which our Madras Preservation of Private Forests Act is put to, (3) the exploitation of forests by the permit-holders in excess of the permit quota and lastly (4) the rectification of the present labrynthine and circuituous procedure adopted in the matter of issue of permits. Let the Government realize that our forests are our national wealth and any piece of legislation for the preservation of our natural wealth will go a long way in enriching our national wealth."

* SRI K. PARTHASARATHY :—"I support the motion moved by the Hon. Minister. Since I am interested in the provisions of the main Act, I shall make a few observations.

"I wish to draw the attention of the House to one thing and that is when the original Act was passed in 1949, it was said in the Preamble that the Act was passed 'pending further legislation'. So, when it was passed, the Act contemplated passing of further legislation to carry out the intentions of the Act, but so far no further legislation has come into being. This is a very sorry state of affairs. So from 1949 onwards, we have not been able to make any comprehensive Act. So, it is necessary that Government should take steps to pass legislation which is pending for a very long time, that is from 1949 and I may even say from 1946. Therefore, I request the Government to take steps to pass an enactment at a very early date.

"Section 5 of the original Act relates to suits and other execution proceedings and that section is now sought to be given a new lease of life by this Bill which we are now passing. It

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a.m.

[Sri K. Parthasarathy] [5th January 1954]

amounts to this that suits and other execution proceedings are stayed from 1946 onwards till 1953 or 1954. My submission is that this state of affairs should not be allowed to continue. Now the question of customary rights is pending in civil courts and execution of decrees is also pending. We now seek to continue this state of affairs. I submit that proceedings should not be allowed to be stayed indefinitely for a long time. I know of cases where decrees were passed declaring the customary rights of the ryots in adjacent private forests. The existing rights are for the purpose of carrying on of agricultural operations better and for gathering green manure, fuel and other materials like bamboo, etc., for cottage industries. In these cases, the provisions of section 5 act as a restraint on the exercise of such rights. So it is better and desirable that a comprehensive legislation is passed at a very early date.

“Again, section 3, sub-clause (2) of the original Act has a proviso. This is not wide enough. The hon. Sri Krishna Ayyar said that this measure affected the district of Malabar more. It is not so. There are other areas in the State where the Act is enforced and it affects the life of so many persons there. As a matter of fact, to half the area of my constituency, this Act is made applicable and ryots are put to a lot of difficulties in the working of this Act. In my constituency, there are three hilly tracts, namely, Jadaya Gounden Jagir, Ariya Gounden Jagir and Kurumba Gounden Jagir, and these are full of forests. The ryots in the villages of the plain below have a right to gather green manure for agricultural operations. The ryots find it very difficult to enjoy the natural and customary rights. It is very difficult to exercise the rights with the consent of the Revenue Department and the Forest Officers. There is also delay, as pointed out by the hon. Mr. Krishna Ayyar, in getting permits. The headquarters of the Revenue Official is located in a distant place and the ryot has to go there and get a permit. All these things cause very great hardship to the ryots in carrying on agricultural operations. When the aim of the Government is to increase food production, the passing of this Act does not encourage the ryot to increase food production. So I request that at the time of passing the comprehensive Act, the proviso to sub-clause (2) of section 3 should be made wide enough to provide not only for the removal of forest produce for domestic purposes and for agricultural implements, but also for the removal of green manure and other materials necessary for agriculture and cottage industries.

“The Hon. Minister has given an assurance that the Select Committee is going to meet even to-day and that steps are being taken for passing a comprehensive legislation. In view of this, I support the Hon. Minister's motion and I am sure that the House also will support it.”

* SRI R. KRISHNAN :—“സർ, പ്രൈവറ്റ് ഫോറസ്റ്റ് നശിപ്പിച്ചുവരുന്നതിനെ തടയാൻ ഈ നിയമം കൊണ്ടുമാത്രം സാധ്യമല്ല. മലബാറിലെ സാറിതി എന്നിങ്ങനെയുള്ള അറിവുള്ളതാണ്. അവിടെയുള്ള കാടുകളെ നശിപ്പിക്കുന്നത് ആ കാടുക

5th January 1954] [Sri R. Krishnan]

ഇടെ ഉടമസ്ഥനായ ജന്മിമാർക്കെന്നാണ്. മരമകുത്തായം നിലവിലുള്ള മലബാറിൽ കാരണവന്മാർ കാടുകളെ കണ്ടമാനം വെട്ടി നശിപ്പിക്കുന്നു. ധാരാളം മരങ്ങൾ അവാർ, മുറിച്ചു മറയ്ക്കുന്നുണ്ട്. ജന്മിമാർക്കു കാടുകൾ നിലനിറുത്താൻ അശേഷം താല്പര്യമില്ല. അതുകൊണ്ടു ആ കാടുകളെ റവന്യൂമന്ത്രി ഏറ്റെടുക്കണമെന്നാണ് എന്റെ അഭിപ്രായം. പ്രസിഫലം കൊടുക്കാൻ ഉടനെ വണമില്ലെങ്കിൽ പത്തോ പതിനഞ്ചോ കൊല്ലം കൊടുത്തു തീർക്കാനുള്ള ഒരു പദ്ധതി നടപ്പിൽ വരുത്തണം. ഏറ്റവും മുമ്പാൻ ഇതു നടപ്പിൽ വരുത്താൻ സാധ്യമല്ലെങ്കിൽ മരമകുത്തായം നിലവിലുള്ള മലബാർ മുതലായ സ്ഥലങ്ങളിലെങ്കിലും അങ്ങനെ ചെയ്യണമെന്നാണ് എന്റെ അഭിപ്രായം. അതിനുവേണ്ടു വ്യവസ്ഥകൾ ഈ ബില്ലിൽ ഉൾപ്പെടുത്തണമെന്ന് ഞാൻ അഭ്യർത്ഥിക്കുന്നു.”

* THE HON. SRI M. A. MANICKAVELU NAICKER :—“ Sir, with regard to the remarks made by the hon. Member behind me, I had already stated that a comprehensive legislation is under contemplation for amending the Madras Forest Act, and it will take some time. But the Madras Preservation of Private Forests Act came to an end on 2nd December 1953. Therefore, it had to be extended pending the regular Bill being brought here. By an Ordinance, the lifetime of the Act has been extended beyond that date. This is only to regularize the action under the Ordinance by a Bill and nothing more. As regards the amending of certain provisions of the Act, I wish to remind the hon. Sri Krishna Ayyar that there is a Select Committee meeting to-day at 5 o'clock and what all he has got to say, he may say then.”

MR. SPEAKER :—“ The question is—

‘ That the Madras Preservation of Private Forests (Amendment) Bill, 1954, be taken into consideration at once.’ ”

The motion was put and carried.

Clauses 2, 3 and 1 and the Preamble were put and carried.

THE HON. SRI M. A. MANICKAVELU NAICKER :—“ I beg to move—

‘ That the Madras Preservation of Private Forests (Amendment) Bill, 1954, be passed into law.’ ”

MR. SPEAKER :—“ The question is—

‘ That the Madras Preservation of Private Forests (Amendment) Bill, 1954, be passed into law.’ ”

The motion was put and carried, and the Bill was passed into law.

IV.—GOVERNMENT MOTION.

MOTION UNDER RULE 22 (3) OF THE ASSEMBLY RULES

THE HON. SRI C. RAJAGOPALACHARI :—“ Sir, on behalf of the Hon. the Leader of the House, I move—

‘ That, under rule 22 (3) of the Madras Assembly Rules, item No. IV on the agenda, namely, the Madras Slum Improvement (Acquisition of Land) Bill, 1954, be taken up before item No. III, namely, the Malabar Tenancy (Amendment) Bill, 1953 (L.A. Bill No. 12 of 1953).’ ”

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MR. SPEAKER :—“ The question is—

‘ That, under rule 22 (3) of the Madras Assembly Rules, item No. IV on the agenda, namely, the Madras Slum Improvement (Acquisition of Land) Bill, 1954, be taken up before item No. III, namely, the Malabar Tenancy (Amendment) Bill, 1953 (L.A. Bill No. 12 of 1953). ’ ”

The motion was put and carried.

III.—GOVERNMENT BILLS—*cont.*

(2) THE MADRAS SLUM IMPROVEMENT (ACQUISITION OF LAND) BILL, 1954.

THE HON. SRI A. B. SHETTY :—“ Mr. Speaker, Sir, I beg leave to introduce the Madras Slum Improvement (Acquisition of Land) Bill^a, 1954, and move—

‘ That the Bill be taken into consideration at once. ’

“ This is a very useful legislative measure and the need for it is very urgent. The object of the Bill is explained in the Statement of Objects and Reasons—

‘ There are a number of slum areas in the City of Madras which are a source of danger to the public health and sanitation of the City. Slums existing on Government or Corporation lands can be improved by the Government or by the Corporation. But clearance of slums on private lands presents many difficulties. Private owners are not willing to carry out improvements to the lands which are really costly. The only method of solving this difficulty is to acquire the lands and provide the necessary amenities. Under the law, as it stands, land can be acquired under the Land Acquisition Act, 1894, the Madras Town-Planning Act, 1920, or the Madras City Improvement Trust Act, 1950; but all these enactments provide for payment of compensation on the basis of market value. Acquisition of land under these enactments is therefore very costly. Government consider it necessary to provide for the acquisition of slum areas on payment of reasonable compensation based on actual income from the land. The Bill is designed to achieve this object and it provides for payment as compensation of 20 times the net average annual income during the five years immediately preceding the acquisition. ’ ”

MR. SPEAKER :—“ Motion moved—

‘ That the Madras Slum Improvement (Acquisition of Land) Bill, 1954, be taken into consideration at once. ’ ”

SRI S. RAMALINGAM :—“ :என் திருத்தத்தை நான் பிரேரப் பிக்கிறேன். I move, Sir—

‘ That the Madras Slum Improvement (Acquisition of Land) Bill, 1954, be referred to a Select Committee. ’ ”

SRI A. RATNAM :—“ I second it. ”

MR. SPEAKER :—“ Motion moved—

‘ That the Madras Slum Improvement (Acquisition of Land) Bill, 1954, be referred to a Select Committee. ’ ”

The motion as well as the amendment is before the House for discussion.

^a Published in the *Fort St. George Gazette*, dated 19th December 1953.

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* SRI P. RAMAMURTHI :—“ கனம் சபைத் தலைவர் அவர்களே இந்த மசோதா கொண்டு வருவதன் மூலமாக உடனடியாக சென்னை நகரத்திலுள்ள சேரிகளில் உள்ள நிலங்களை சர்க்கார் நேரடியாக தங்கள் வசப்படுத்திக் கொண்டு அங்குள்ள மக்களுக்கு ஒரு நியாயமான முறையில், சுகாதார முறையில் குடியிருப்புக்கு வேண்டிய வசதி செய்து கொடுக்கும் நோக்கத்தோடு கொண்டு வரப் பட்டது என்று சொல்லப்பட்டுள்ளது. ஒட்டுமொத்தமாகப் பார்க்கும் போது இந்த வசதி செய்து கொடுக்கும் நோக்கம் சரியான நோக்கமாக இருந்தாலும்கூட இதில் இருக்கக்கூடிய சில ஷரத்துக்களை நோக்கும்போது நிலைமை இன்று பயங்கரமாக, ஆபத்தாகத்தான் இருக்கிறது. குறிப்பாக அவர்களுக்கு என்ன நஷ்ட ஈடு கொடுக்க வேண்டுமென்று இதில் குறிப்பிட்டுள்ளது ஆட்சேபகரமானது. அதாவது இன்றைக்கு அவர்களுக்கு வருஷத்திற்கு கிடைக்கும் சராசரி வருமானம் போல் 20 மடங்கு நஷ்ட ஈடு கொடுக்க நிர்ணயிக்கப்பட்டுள்ளது. ஆனால் இன்று சென்னை நகரத்தின் நிலைமையை பார்க்கும்போது, சமீப காலத்தில் அதுவும் குறிப்பாக யுத்தம் ஏற்பட்ட பிறகு சென்னையில் ஜனத்தொகை அதிகரித்துவிட்ட காரணத்தால் இந்த சேரிகளில் உள்ள நிலங்களின் சொந்தக்காரர்கள் இங்கிருக்கக்கூடிய குடிசைகளுக்கு வாடகை உயர்த்தி இருக்கிறார்கள். சமீப காலத்தில் என்றால் இப்பொழுதில்லை; இந்த மசோதா வருவதற்கு முன்னதாகவே இந்நிலை ஏற்பட்டுள்ளது என்று சொல்லுகிறேன். ஒரு குடிசைக்கு மாதமொன்றுக்கு 2 ரூபாய் முதல் 3 ரூபாய் வரை சாதாரணமாக இன்றைக்கு வாடகை வாங்கப்படுகிறது. அப்படிப்பட்ட நிலைமையில் எடுத்துக்கொண்டால் குறைந்த பட்சம் வருஷத்திற்கு ரூ. 24-க்கு மேல் ஆகிறது. ஒரு கிரவுண்ட் நிலத்தை எடுத்துக்கொண்டால் ரூ. 2,400 முதல் ரூ. 2,800 வரை இன்று அவர்களுக்கு அதிகப்படியான நஷ்ட ஈடு கொடுக்க வேண்டுமென்றுகிறது. இந்த கணக்கை எடுத்துக்கொண்டு பார்த்தால் இம்மாதிரியான விலை சென்னையில் மவுண்ட் ரோடு போன்ற இடங்களிலுள்ள மார்க்கெட் விலையாக இருக்கலாம். மற்ற இடங்களில் ரூ. 2,000-க்கும் குறைவாகவே மார்க்கெட் விலை இருப்பதை கவனிக்கலாம். ஆகவே இந்த சட்டம் வர வேண்டுமென்று நிறைவேற்றப்பட்டால், அதற்கு முன்பாக இந்த நஷ்ட ஈட்டுத் தொகையை அல்லது விகிதத்தை பெரிய அளவுக்கு குறைத்தாக வேண்டும். அதாவது இப்போது அவர்களுக்கு ஐந்து மடங்குமேல் நஷ்ட ஈடு கொடுக்கக்கூடாது என்று ஒரு ஷரத்தை இந்த மசோதாவில் புதியதாக சேர்க்கப்பட வேண்டும். இன்றைக்கு இருக்கிற அரசியல் சட்டத்தின் கீழ் நஷ்ட ஈடு கொடுக்காமல் நிலங்களையோ, ஸ்தாவர சொத்துக்களையோ வசப்படுத்தக்கூடாது என்று இருக்கிறது. ஆகையால் கொடுக்கும் நஷ்ட ஈட்டை ஒரு குறைந்த விகிதமாக நியாயமாக கொடுக்க வேண்டும்.

“ இரண்டாவதாக, இந்த மசோதா சென்னை நகருக்கு மட்டும் கொண்டு வரப்பட்டிருக்கிறது. அப்படியில்லாமல் தமிழ் நாட்டில் இருக்கின்ற முனிசிபாலிட்டிகளுக்கும் தொழிலாளர்கள் அதிகமாக வசிக்கும் கோயம்பத்தூர், திருச்சிராப்பள்ளி, மதுரை போன்ற இடங்களுக்கும் கொண்டு வர வேண்டும். இந்த இடங்களில் உள்ள நிலைமையை எடுத்துக்கொண்டால் இந்த பிரச்சனை இன்று முகவும் பயங்கரமாக இருக்கிறது. உதாரணமாக மதுரை நகரத்தில் சாதாரண மக்கள், தொழிலாளர்கள் வசிப்பதற்கு இடமில்லாமல் அவர்கள் திடீர் திடீரென்று பல இடங்கள் மாற வேண்டியிருக்கிறது. இவ்வாறு அங்கு திடீர் திடீரென்று பல இடங்கள் மாறி இன்று அங்கு ஒரு இடத்திற்கு ‘ திடீர் நகர் ’ என்ற பெயரே ஏற்பட்டிருக்கிறது. இங்குள்ள ஜனங்கள் வெளியே வேண்டுமென்று சொல்லப்படுகிறது. அவர்கள் கடந்த இரண்டு வருஷங்களாக அதற்கு மறுத்துக்கொண்டு வருகிறார்கள். இது பற்றி டிஸ்ட்ரிக்ட் கலெக்டரிடம் இன்று வரை தூது கோஷ்டிக்கு மேல் தூது கோஷ்டி சென்ற வண்ணமாய் இருக்கிறது. இதைப்போல் இன்னும் திருச்சிராப்பள்ளி, கோயம்பத்தூர், இன்னும் பல இடங்களில் இந்த மசோதாவை கொண்டு வா வேண்டும். இந்த நிலைமையில் சென்னை நகரத்துக்கு மட்டும் உடனடியாக இந்த மசோதாவைக் கொண்டு வரவிருப்பது நியாயமில்லை. ஆகவே

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யால் முனிசிபல் ஏரியா, மற்றும் பல பிற்பட்ட இடங்கள், குறிப்பாக சென்னை நகரத்துக்கு சமமான மேற்சொன்ன மூன்று நகரங்களுக்கும் உடனடியாக இதை விஸ்தரிக்க வேண்டும்.

“இப்பேர்ப்பட்ட மசோதா கொண்டு வருவதற்கு முன்பு மாகாண சர்க்கார் இன்றுள்ள அரசியல் சட்டத்தின் கீழ் மத்திய சர்க்காரின் அங்கீகாரத்தை பெற வேண்டுமென்று இருக்கலாம். அம்மாதிரி இருந்தால் சீக்கிரத்தில் இந்த மாதிரியான மசோதாவை இந்த மூன்று நகரங்களும் போக, மற்றும் இருக்கக்கூடிய முனிசிபல் ஏரியா பூராவும் இதை அமுல் செய்வதற்கு உடனடியாக சட்டங்களை நிறைவேற்றி, அம்மாதிரியான ஒரு நியாயமான மசோதா மூலம் ஏழை மக்களுக்கும், தொழிலாளர்களுக்கும் வசதி செய்து கொடுக்க வேண்டும். அதோடு இந்த மசோதா கொண்டு வரும் அளவில் இங்கு குறிப்பிட்டுள்ள நஷ்ட ஈட்டுத் தொகையை உடனடியாக குறைக்க வேண்டும். அம்மாதிரி நிறைவேற்றப்படாவிடால் அது சர்க்காருக்கு பெரிதும் ஆபத்தாக ஏற்படும். ஆகையால் இந்த மசோதாவை ஏற்றுக்கொள்வதற்கு முன் இதை கவனிக்க வேண்டும். அல்லது இதை பரிசீலனைக் கமிட்டிக்கு விட்டு பரிசீலனை செய்ய வேண்டுமென்று என்னுடைய பிரேரேபணையை பிரேரேபிக்கின்றேன்.”

* SRI V. GOPALA GOUNDER :—“ Sir, I support the amendment for referring this Bill to a Select Committee. I wish to submit to the House a few points as to why the Bill should be referred to a Select Committee. This Bill is intended to take all necessary precautions against the danger from the existence of slums in the City. We must know that under the Constitution, no man can be deprived of his property without the payment of reasonable compensation. Under the existing Land Acquisition Act, some compensation is paid to the owners when private properties are acquired by the Government. The validity of even that Act has been questioned as being against the Fundamental Rights guaranteed under the Constitution. This Bill also is to a certain extent against the Fundamental Rights guaranteed to private parties under the Constitution. Sir, the provisions relating to the powers taken by the Government under this Bill regarding the acquisition of land, determination of compensation, mode of payment of compensation, etc., need redrafting. Then, even the term ‘slum’ cannot be applied strictly to all the slum areas in the City. Although this Bill may be intended to cover all such areas, some of the areas which are contemplated under this Bill may not strictly come under the term ‘slum’. Further, large powers are reserved to the Government under this Bill. Therefore, I submit that the whole Bill may be referred to a Select Committee so that that Committee may have the opportunity to go into all these provisions carefully, make suitable modifications and bring the revised Bill before the House for approval.”

* SRI C. RAJAM RAMASWAMI :—“ The House should feel very grateful to Hon. the Chief Minister for this very valuable Bill that has been introduced in the Assembly to-day. Hundreds of thousands of slum-dwellers in Madras City will be ever grateful to him for this measure. I know, Sir, from personal knowledge during the last two years, a number of slums that were about to be cleared and the dwellers evicted from their homes. The Chief

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Minister immediately after he assumed office initialed a new policy to be followed in this regard and that was that slums should remain where they were, and improved. He issued orders prohibiting the clearance of any slum by the City Improvement Trust or the Corporation. Improving of the slums in their existing locations presented many difficulties to the Corporation as many of them were situated on private lands. So this measure has been brought forward. I do not think there is any necessity to refer this Bill to a Select Committee. My own feeling is that we should get through this Bill as quickly as possible and see that the required amenities are provided as quickly as possible. There are over 241 slums in the City of Madras, with a population of 2,64,577 dwelling in 36,671 huts occupying an area of about 16,385 grounds. Over 102 slums are situated on private lands, and 44 are on Corporation lands, the others being 'squatters' on Government land.

"The Hon. the Leader of the Opposition Sri P. Ramamurthi referred to the question of payment of compensation. I agree with him to this extent that the payment of compensation at twenty times the nett average annual income actually derived from the land sought to be acquired during the period of the previous five consecutive years may be a little too much. But we could add a proviso to the effect that the compensation should not exceed Rs. 500 per ground and that the former or latter, whichever is lower, should be the amount. This is a very important aspect of the question that the Leader of the Opposition has raised and which I believe should be acceded to by Government.

"Clause 3 of the Bill gives power to Government to acquire any land in a slum area for the purpose of clearing and improving the area. Generally the authorities concerned are more interested in clearing the slum rather than improving it. I do not want this to take place. The authorities should be clearly told that they should improve the slum and not clear it. No doubt the interests of the slum-dwellers are very well protected in the hands of our Chief Minister, but a clear directive should be given to the authorities that no slum should be disturbed and they should be improved at the places where they stand. It has been the experience in the past that everytime a slum is cleared, the dwellers are evicted and made to shift for themselves. This is very wrong and the dwellers should not be asked to go away. The Chief Minister is against it. If at all any slum should be cleared for reasons of sanitation, alternative accommodation should be provided to the dwellers in the vicinity of the slum. This is the fundamental principle on which the Hon. Chief Minister has been laying emphasis and I hope that it will find practical expression in clause 3 by means of a suitable amendment.

"In regard to the improvement of the various slums in the City of Madras, the Government should also provide the necessary money to the Corporation to acquire the lands and to provide the essential amenities to the dwellers. The mere passing of a Bill without the necessary provisions for providing the essential

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amenities will be of no use. I earnestly appeal to the Government to give the Corporation sufficient money to improve the slums in the City of Madras, if necessary, by imposing an additional tax on the City Gardenhouse dwellers. As we all know, the Government are reaping a very rich harvest from sales tax in Madras City. I do not see any reason why we should not spend a portion of it in improving the lot of the slum-dwellers. In fact, the 14 lakhs of people living in Madras City contribute a very large sum of money by way of sales tax to the revenues of the State. There is no reason why the slum-dwellers should not expect a small portion of it to be diverted for the improvement and betterment of their lot.

“With these few words, I strongly support the Bill and oppose the amendment for reference to a Select Committee. I urge that the Bill should be immediately taken into consideration and speedily passed and the necessary money provided for improving the lot of the slum-dwellers.”

* SRI S. C. C. ANTHONY PILLAI:—“Mr. Speaker, I welcome the introduction of this Bill as this tries to meet a long-felt need of the City of Madras. Ever since 1939, the population of the City of Madras has gone up by leaps and bounds. From seven lakhs it has increased to fifteen lakhs. The pressure on housing in the City has led to a large increase in the number of slums and also in the slum population. The Corporation of Madras has been attempting, to the best of its ability, to improve the slums. It has already spent during the last two or three years something like Rs. 30 lakhs to improve the slums on Corporation-owned lands. The second stage of the programme is to improve the slums on Government-owned lands. I am surprised to note that the Government have not taken adequate steps to improve the slums on their own lands and are proceeding to the third stage, namely, the acquisition of slums on private lands. Up till now, the Corporation had the authority to issue instructions to the owner of a land in a slum area to provide certain amenities to the slum-dwellers. But, in practice, it is found that no such thing is done. The Corporation is unwilling to provide the amenities because the provision of amenities will only lead to an increase of the rents payable by the slum-dwellers concerned. Therefore, while I welcome this particular piece of legislation which will create the basis for a radical solution of the slum problem of Madras, I would like to point out that this is only the mere beginning of a much bigger task. Unless and until the Government change their policy with regard to giving funds and financial support to municipalities and to the Corporation of Madras to provide the amenities which would be required after the acquisition of these lands, this will only be a mere nominal piece of legislation of very doubtful value. The only reason why I am supporting the amendment, that this Bill be referred to a Select Committee, is this. I myself was a little doubtful about the value of wasting time in referring such a Bill

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to a Select Committee. I have been persuaded by my Friends to support the amendment only on this ground, namely, that this is a piece of legislation which is likely to be contested very hotly in courts of law. Therefore, the greatest amount of caution should be exercised in regard to the wording of the Bill so that time may not be wasted on unnecessary litigation with regard to the validity of this legislation that is sought to be enacted.

“The second reason why I would like this Bill to be referred to a Select Committee is this. Unless the compensation that is payable is fixed at a low amount, I do not think anything useful is likely to emerge as a result of this particular piece of legislation. If the compensation is fixed at a low amount, it may be possible for some slum-dwellers to come forward and say, ‘All right, we shall pay that amount provided the Government take over the slum.’ But if the compensation is fixed at a high amount, the net result will be that the Government will have to bear the whole burden of the acquisition. If that happens, we are afraid from our past experience that the Government will always tell us that they have not the necessary funds to take particular steps under the enactment which they themselves have brought forward. Nevertheless, with this reservation, I welcome, on behalf of the citizens of Madras, this Bill and hope and trust that it will be passed expeditiously into law.”

SRI A. RATNAM :—“கனம் சபாநாயகர் அவர்களே, இந்த ஸ்லம் அக்விசிஷன் ‘பில்’லை அரசாங்கம் கொண்டு வந்ததைப்பற்றி தாழ்த்தப்பட்ட வர்களின் சார்பாக நான் அரசாங்கத்திற்கு என்னுடைய பாராட்டுதலை தெரிவித்துக்கொள்ளுகிறேன். நானும் சென்னையிலுள்ள ஒரு சேரிவாசி. அந்தக் காரணமாக இப்பொழுது அவர்களுக்கு நிலம் வாங்கவேண்டும் என்று கொண்டு வந்திருக்கக்கூடிய இந்த மசோதாவை நான் ஆதரிக்கிறேன். சென்னையின் ஏறக்குறைய 500 சேரிகள் இருக்கின்றன. அவற்றில் கார்பொரேஷனுக்குச் சில, சர்க்காருக்குச் சில, தனிப்பட்ட நபர்களுக்கு சில சொந்தமாக இருக்கின்றன. அந்த மாதிரி கார்பொரேஷனுக்குச் சொந்தமான சேரிகளை அவர்கள் எடுத்து சீர்திருத்தம் செய்திருக்கிறார்களா, அல்லது ஏதாவது முற்போக்கான வசதி செய்யப்பட்டிருக்கின்றனவா என்றால் அது மிகவும் குறைவாகவே ஏற்பட்டிருக்கிறது. ஏதோ ஒரு சில இடங்களில் கார்பொரேஷன் கடன் வாங்கி ஏதோ கக்கூசு கட்டி வைத்தும், சாக்கடை கட்டி வைத்தும், விளக்குகள் போட்டும் தான் முற்போக்கான வேலைகளைச் செய்திருக்கிறார்கள். ஆனால் குச்சகளும் குடிசைகளும் பழைய நிலையில் தான் இருக்கின்றன. குப்பாணும் குப்பாயிகளும் சென்னை பிளாட்பாரங்களில் இன்னும் வசித்துக்கொண்டிருக்கிறார்கள். அவ்விதம் பல லட்சக்கணக்கான மக்கள் வசித்துக்கொண்டு வருகிறார்கள். சேரி நிலங்களை கார்பொரேஷன் அதிகாரிகள் எடுத்துக்கொண்டும் அவர்களுக்கு கக்கூஸ், சாக்கடை கட்டிக்கொடுப்பதோடு நிற்கிறார்களே யொழிய வேறு ஒரு சீர்திருத்தமும் செய்வதில்லை. இந்த நிலையில் அவர்கள் கஷ்டப்பட்டுக்கொண்டிருக்கிறார்கள். அங்கு இருக்கும் குடிசைகளை சென்னை கார்பொரேஷனில் எடுத்துக்கொண்டு வாடகை வசூல் செய்கிறார்கள். அவ்விதம் ஒரு ரூபாய், இரண்டு ரூபாய்கள் அல்லது குறைவாக இருந்தால் எட்டு அணு வரையில் வாடகை வாங்கிக் கொண்டு வருகிறார்கள். இவை தனிப்பட்டவர்களுடைய சேரிகளாக இருந்தால் ஒரு குடிசைக்கு ரூபாய் மூன்று அல்லது இரண்டு என்று வாங்கிக்கொண்டு வருகிறார்கள். சென்னையிலுள்ள ஒரு மனை நிலத்தில் அதாவது ஒரு கிரௌன்ட் இடத்தில் ஏறக்குறைய 12 குடிசைகள் இருக்கின்றன. அந்தக் குடிசைகளின் விஸ்தீர்

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ணம் 12-க்கு 10 அடி இருக்கும். இந்த விஸ்தீரணத்தில் அவர்கள் குடிசைகளை அமைத்துக்கொண்டிருக்கிறார்கள். ஏறக்குறைய 200 சதுர அடிக்கு குடிசைகள் இருக்கின்றன. ஒரு மாதத்திற்கு இரண்டு ரூபாய் என்று எடுத்துக் கொண்டாலும் ஒரு வருஷத்திற்கு 240 ரூபாயாகிறது. 'இதை இந்த 'பில்'லில் கூறி இருப்பதைப் பார்க்கிறோம். அதில் மதிப்புக் கொடுக்கப்பட்டிருப்பது மூலம் ஒரு குடிசைக்கு 240 ஆகிறது. ஒரு கிரௌண்டில் 12 குடிசைகள் இருந்தால் ஒரு வருஷத்திற்கு ரூ. 2,880 ரூபாயாகிறது. இந்தப் பணத்தை அரசாங்கம் கொடுக்க வேண்டிய நிலை ஏற்படுகிறது. நம்முடைய ராஜ்யத்தில் முதல் மந்திரி அவர்கள் 1939-ம் வருஷத்தில் ஆலயப் பிரவேச மசோதாவும் சோஷல் டிசபிலிட்டி ஆக்ட்டும் கொண்டு வந்தார்கள். அது நடைமுறையில் எப்படி இருக்கிறது என்றால் அது எட்ளாவில் தான் இருக்கிறதே ஒழிய செயலளவில் நடைபெறவில்லை என்பதை குறிப்பிட விரும்புகிறேன். அவ்விதம்தான் அவைகள் இப்பொழுது சொலவணியாகிறது. தாழ்த்தப்பட்டவர்களுக்கு சட்டம் வந்ததால் அது அப்படியே தான் இருக்கிறது. ஆனால் தாழ்த்தப்பட்டவர்களை வெளியேற்றவேண்டும் என்று வந்தால் அது 24 மணி நேரத்தில் துப்பாக்கிகளையும் குண்டுகளையும் வைத்துக்கொண்டும் போலீஸ்காரர்களை வைத்துக் கொண்டும் அவர்களை வெளியேற்றுகிறார்கள். ஆனால் அவர்களுடைய வசதிக்காக ஒரு சட்டம் வருகிறது என்றால் அதை அமுல் நடத்துவதில் அரசாங்கம் முதல் கோர்ட்டு வரையிலும் அவர்களுக்கு உருத் துணையாக இருந்து அமுல் நடத்தாமலிருக்கிறார்கள். ஆனால் சேரிகளைப் பார்த்தால் சேறும் செகதியுமாக இருக்கிறது. மற்றும் குப்பையும் கூளமுமாக இருக்கிறது. மழை பெய்தால் ஒரே வெள்ளம், வெய்யில் காய்ந்தால் அவர்கள் வெய்யிலில் காய வேண்டியது தான். இந்த நிலையில் அவர்கள் பள்ளப்பாருகளில் அவதிப்பட்டுக்கொண்டிருக்கிறார்கள். அவர்களுடைய தொகை சுமார் ஐந்து லட்சத்திற்கு மேல் இருக்கிறது. சென்னை ஜனத் தொகை 15 லட்சம் பேரில் இவர்கள் ஐந்து லட்சம் பேர்கள். அவர்களுக்கு வீடுகள் இருக்கின்றனவா? அவர்கள் பள்ளப்பாருகளில் பொங்கித் தின்று கொண்டிருக்கின்றனர். இப்படிப்பட்ட தாழ்த்தப்பட்டவர்கள் வெளியூர்களிலிருந்து அதாவது செங்கற்பட்டு, திண்டிவனம், தென்னார்காடு, வட ஆர்காடு முதலிய இடங்களிலிருந்து இங்கு வந்து குடியேறி இருக்கிறார்கள். அவர்களுக்கு சேரிகளில் இடம் கிடைப்பது இல்லை. வீடுகள் கிடைப்பது கிடையாது. மற்ற வீடுகளிலும் அவர்களை அனுமதிப்பது கிடையாது. ஏன்? தீண்டாமை என்ற காரணத்தால் அவர்களை துன்புறுத்துகிறார்கள். ஆனால் மதவியார், ரெட்டியார், செட்டிகள், கோமட்டிகள் என்றால் அவர்கள் வீடுகளில் சுமார் 50 குடும்பங்கள் வரையில் வைத்துக் கொள்ளுகிறார்கள். ஆனால் தாழ்த்தப்பட்டவர்களில் பி. ஏ. பட்டம் பெற்றவர்களாக இருந்தாலும் அதிகாரிகளாக இருந்தாலும் அவர்கள் அந்த வீடுகளில் வாசம் செய்வதற்கு அருகதை அற்றவர்கள் என்று கூறுகிறார்கள். இந்த நிலைமையில் அவர்கள் பிளாட்பாருகளில் பொங்கித் தின்று கொண்டிருக்கிறார்கள். இப்பொழுது சென்னை யிலுள்ள பீச் முதல் தெருவு, இரண்டாவது தெருவுகளில் சென்று பார்த்தால் மக்கள் புழுக்களைப்போல் நசுங்கிக்கொண்டு இருக்கிறார்கள். ஆயிரக் கணக்கான மக்களுக்கு சீர்திருத்தம் செய்வதற்கு அரசாங்கம் இந்தச் சட்டத்தை கொண்டு வருவதை நான் வரவேற்கிறேன். சட்டத்தில் சொல்லிய பிரகாரம் அந்தந்தச் சேரி சொந்தக்காரர்களுக்கு பணம் கொடுக்கவேண்டும் என்றால் ரூ. 2,880 ஏறக்குறைய ரூ. 3,000 கொடுக்கவேண்டும். அது அவர்களால் கொடுக்க முடியாமல் இருக்கிறது. அந்த நிலையில் அது மிகவும் மிகுதியாக இருக்கிறது. மௌன்ட் ரோடு, மைலாப்பூர், திருவல்லிக்கேணி முதலிய இடங்களில் எடுத்துக்கொண்டால் ரூ. 2,00,000 வாங்கவேண்டும் என்று இருக்கிறது. அங்கு சேறும் செகதியுமாக இருக்கிறது. மற்றும் பள்ளத்தாக்குகளில் இருக்கிறது. அவைகளின் மதிப்பை அதிகமாக சொல்லுகிறார்கள். அது மட்டுமல்ல. அந்த இடங்களை வாங்குவதற்கு ஹரி ஜனங்களால் முடியுமா என்பதையும் பார்க்கவேண்டும். ஆனால் அரசாங்கம் அதை எடுத்துக்கொள்ளவேண்டும் என்று சட்டத்தில் இல்லை. ஒரு குடிசைக்கு ஒரு வருஷத்திற்கு 240 ரூபாய் என்று ஒரு வருஷத்திற்கு ரூ. 2,880 கொடுக்கவேண்டியதாக இருக்கிறது. அந்தப் பணத்தை அவர்கள் கொடுக்க வேண்டும் என்று சட்டம் குறிப்பிடுகிறது. 1949-ம் ஆண்டில்

5th January 1954]

[Sri A. Ratnam]

ஹரிஜன வெல்பேர் கமிட்டி ரிபோர்ட்டு கொடுத்திருக்கிறது. அதில் கண்டபடி சென்னைக்கு அது பொருத்தம் இல்லை. சென்னையை அடுத்து மற்ற மாவட்டங்களில் ஹரிஜனங்களுக்கு மூன்று செண்டுகளும் மலபாரில் 15 செண்டுகளும் கொடுக்கவேண்டும் என்று ஆர்ஜிதம் செய்திருக்கிறார்கள். ஆனால் சென்னை நகரத்திலுள்ள ஹரிஜனங்களுக்கு கொடுப்பது இல்லை. ஆனால் கொடுக்கப்பட்டிருக்கிறதா வென்றும் ஒன்றுமே கிடையாது. இந்தப் படி திட்டம் வகுத்திருக்கிறார்கள். அந்தப் பணத்திலிருந்தோ அல்லது மாகாணத்தில் ஒதுக்கப்பட்ட பணத்திலிருந்தோ ஒரு தம்பிபிசூட அனுப்பிக்காதவர்கள் சென்னையில் இருக்கிறார்கள். அப்படி ஐந்து லட்சம் பேர்கள் இருக்கிறார்கள். அவர்களுக்கு இந்த நிலங்களை இனமாக அளிக்க வேண்டும். ஆனால் அரசாங்கம் அப்படிச்செய்ய முன் வரவில்லை. எல்லாவற்றையும் கொடுக்காவிட்டாலும் பாதி விலையை அரசாங்கம் ஏற்றுக் கொண்டு மற்ற பாதியை ஹரிஜனங்களிடத்திலிருந்து வசூலிக்க வேண்டும். அந்தப்படி இந்த சட்டத்தைத் திருத்த வேண்டும். மற்றொரு திருத்தமும் இருக்கிறது. அரசாங்கம் ஹரிஜனங்களுக்கு இதைச் செய்யிறோம் அதைச் செய்கிறோம் என்று சொல்லுகிறார்கள். குடிசைகளை கட்டிக் கொடுக்கிறோம், சுகாதார வசதி செய்து கொடுக்கிறோம் என்று சிட்டி இம்ப்ரூவ்மென்ட் போர்ட் கூறிக்கொண்டு அரசாங்கத்திலிருந்து நிலங்களை ஆர்ஜிதம் செய்துகொண்டு வருகிறார்கள். நிலம் இல்லாதவர்களுக்கு, வீடு இல்லாதவர்களுக்கு, வசதி இல்லாதவர்களுக்கு எல்லாம் செய்து கொடுக்கிறோம் என்றும் வீடு கட்டிக் கொடுக்கிறோம் என்றும், வசதி செய்து கொடுக்கிறோம் என்றும், வாசல் கட்டிக் கொடுக்கிறோம் என்றும் சொல்லி வருகிறார்கள். ஆனால் என்ன நடக்கிறது? கட்டடங்களை கட்டி முடித்த பிறகு அதற்கு வாடகை 20 என்றும் 50 என்றும் 100 என்றும் சொல்லி வருகிறார்கள். அது மட்டுமல்ல, சென்னை ஹரிஜனங்களுக்கு எந்த செளகரியமும் செய்தது இல்லை. இதை நாம் கண்காடாகப் பார்த்திருக்கிறோம். இதைப்பற்றி அரசாங்கத்திற்கு மனுக்கள் அனுப்பியும் கூட ஒன்றும் நடப்பது இல்லை. ஆகவே இனி மேல் நிலங்களை சீர்திருத்தம் செய்யவேண்டும் என்று கார்பொரேஷனாக்கோ அல்லது சிட்டி இம்ப்ரூவ்மென்ட் போர்டுக்கோ கொடுக்கக்கூடாது. அவைகளை நேரடியாக ஹரிஜன வெல்பேர் ஆபீசர் மூலமாகவோ அல்லது கலெக்டர் மூலமாகவோ சம்பந்தப்பட்டவர்களுக்கு கொடுத்து வீடு கட்டிக்கொண்டு இருக்கும்படி ஏற்பாடு செய்யவேண்டும். அவ்விதம் கொடுத்து பாதிப் பணத்தை தான் அவர்களிடமிருந்து வசூலிக்கவேண்டும். இப்பொழுது கார்பொரேஷன் தாகஸ் சேரியில் வீடு கட்டியிருக்கிறார்கள். வீடு கட்டும்போது அங்குள்ளவர்களை 10 மைலுக்கு அப்பால் போகவேண்டும் என்று துரத்தினார்கள். இரண்டு ரூபாய்க்கு வீடுகள் கட்டிக்கொடுக்கப் போகிறோம் என்று சொன்னார்கள். அதன் பிறகு லட்சக்கணக்கான பணத்தைச் செலவு செய்து ஐந்து வருஷங்களாக கட்டடம் கட்டியும் ஹரிஜனங்களுக்கு வீடுவசதி கிடைக்கவில்லை. ஆனால் வட நாட்டிலிருந்து வந்த மாங்காடிகளுக்குப் பணக்காரர்களுக்கும் தான் ரூ. 40, 50-க்கு கொடுத்திருக்கிறார்கள். அப்படிக்கொடுக்கும்போது 'அவைகளுக்கு பைப் இருக்கிறது, கிச்சன் இருக்கிறது, வாருங்கள்' என்று அட்வர்டைஸ் பண்ணுகிறார்கள். இந்த போர்ட், மக்களுக்கு வீடுகள் கட்டிக்கொடுக்கிறோம் என்று வாக்களித்தும் கூட பிறகு மறுத்துவிடுகிறார்கள். ஆகவே கார்பொரேஷனுக்கும் போர்டுகளுக்கும் அந்த நிலங்களைக் கொடுக்காமல் அவர்களிடம் இருக்கும் நிலங்களையும் எடுத்துக்கொண்டு அரசாங்கமே வைத்துக்கொண்டு சீர்திருத்தம் செய்யலாம். அந்த இடங்களை எடுத்துக்கொண்டு அந்தத் தீர் ஹரிஜனங்கள் வசிக்கும் இடங்களை அவர்களுக்கே குடிசைகள் கட்டிக் கொள்வதற்கு அவர்களுக்கே கொடுத்து விடலாம். அவர்களுக்கே அவைகளை சொந்தமாக்கப்படவேண்டும். இந்த திருத்தங்களை யெல்லாம் சட்டத்தில் புகுத்த வேண்டியதாக இருக்கிறது. இந்த திருத்தத்தை பிரேரணைக்குக்கொண்டு வந்து அதைப்பற்றி பேசும்போது தாழ்த்தப்பட்ட மக்கள் அடங்கிய ஒரு கூட்டுக் கமிட்டியை அமைத்து பரிசீலனை செய்யவேண்டும். ஆகவே இதை செலக் கமிட்டிக்கு விட வேண்டும் என்ற திருத்தத்தை எடுத்துக்கொண்டு இதை பரிசீலனை செய்வது மிக மிக அவசியம். இது முக்கியமான விஷயம். இப்பொழுது நூற்றுக்கணக்கான சேரிகள் கார்

[Sri A. Ratnam]

[5th January 1954]

பொரேஷனில் இருக்கிறது. அவர்களிடம் பணம் கிடையாது. வசதி கிடையாது. ஒரு மாதம் இரண்டு மாதம் ஆகும் அதன் பிறகு வசதி செய்து கொடுக்கிறோம் என்று சொல்லலாம். அதற்குள் வெளியேற்றி விடுவார்கள் என்று சொல்லலாம். அப்படி வெளியேற்ற முடியாது. அப்படி வெளியேற்றுவதாக இருந்தாலும் மூன்று மாத பயம் கொடுக்கவேண்டும். அது சட்ட பூர்வமாக இருக்கிறது. ஆகவே இந்த திருத்தத்தின்படி ஒரு செலக் கமிட்டிக்கு விடுப்படி அரசாங்கத்தைக் கேட்டுக் கொள்ளுகிறேன். அரசாங்கம் அதில் கவனம் செலுத்த வேண்டும் என்றும் கேட்டுக் கொள்ளுகிறேன். இதை முதல் அமைச்சர் அவர்கள் செய்வார்கள் என்று எதிர் பார்க்கிறேன். வணக்கம்.”

11
a.m.

* SRI T. K. RAMA :—“ கனம் சபாநாயகர் அவர்களே, இந்த மசோதாவை ஆதரித்து சிலவார்த்தைகள் பேச விரும்புகின்றேன். பெரிய நகரங்களிலும், முனிசிபாலிட்டிகளிலும் சேரிகள் ஏற்படுவதை தடுக்க முடியவில்லை. பல ஆண்டுகளாக இந்த சேரிகள் பிர்ச்னை தீர்க்க முடியாமல் இருந்து வருகிறது. இன்று அதற்கான ஒரு மசோதா கொண்டுவரப்பட்டிருக்கிறது. இந்த மாதிரி ஒரு மசோதா வெகு காலத்திற்கு முன்பே வந்திருந்தால் மிகவும் நல்லதாக இருந்திருக்கும். ஆனால் இம்மசோதா மற்ற நகரங்களுக்கும் இடங்களுக்கும் விஸ்தரிக்கப்படவேண்டுமென்ற விஷயம் கவனிக்கப்பட வேண்டியதாகும். இந்த மசோதா சட்டமாக ஆக்கப்பட்ட பின்பு, சென்னை நகரத்தில் அநேகமாக ஸ்லம் ஏரியா அதாவது சேரிகளே இல்லாமல் கூட போகலாம். ஏனென்றால் தனிப்பட்டவர்களுடைய நிலங்களை குடிசைகள் கட்டி குடி இருப்பவர்களுக்கு சட்டபூர்வமாக பாத்தியமாக்கிவிட்டால், நிலத்தின் சொந்தக் காரர்கள் மிகவும் பாதிக்கப்படுவார்கள். ஆகையால் தனிப்பட்டவர்கள் தங்களுடைய இடங்களில் இனி நல்ல முறையில் வீடுகள் கட்டிக்கொள்ளும்படி பார்த்துக்கொள்வார்கள். இம்மாதிரியான அனுசூலமான சட்டம் சென்னை நகரத்திற்கு மாதிரிம் அமுலுக்கு வருவதைத் தவிர மற்ற நகரங்களுக்கும் இந்த சட்டம் கொண்டுவரவேண்டுமென்பது என்னுடைய கோரிக்கை. சென்னைக்கு அடுத்தபடி ஜனத்தொகையிலோ, அல்லது வேறு விஷயங்களிலோ மதுரை விசேஷமாக இருந்துவருகிறது. அங்கு ஐந்து நூற்பு மில்களும், பல தொழிற்சாலைகளும் இருக்கின்றன. 60 ஆயிரம் தொழிலாளர்கள் இருக்கிறார்கள், மேலும் அது 60 ஆயிரம் நெசவாளர்களும் வசிக்கும் நகரமாகும். அப்பேரப்பட்ட மதுரையில் குடிசைப்பிரதேசத்திற்கு பஞ்சமே இல்லை. சேரிகளில் வசிப்பவர்கள் படும்கஷ்டத்தைப் பற்றி ஸ்ரீ ராமமூர்த்தி அவர்கள் கூறினார்கள். ஆனால் அதைத்தவிர இன்னும் வேறுமாதிரியான சில பிரதேசங்களும் இருக்கின்றன. இந்த பிரதேசங்களில் வசிப்பவர்களைக் காப்பாற்றப்படவேண்டியது மிகவும் அவசியமாகும். இச்சட்டம் கொண்டுவர யூனியன் பிரசிடென்ட் அவர்களிடம் அனுமதி வாங்கும்பொழுது சென்னைக்கு மத்திரம் என்று அனுமதி வாங்கப்பட்டிருக்கலாம் என்று ஸ்ரீ ராமமூர்த்தி அவர்கள் சொல்வது சரியாக இருக்காது என்று நினைக்கிறேன். இச் சட்டத்தின் பெயர் மெட்ராஸ் ஸ்லம் என்று இருக்கிறதே தவிர, மெட்ராஸ் சிடி ஸ்லம் என்று குறிப்பிடப்படவில்லை. ஆகையால் இச்சட்டம் மெட்ராஸ் நகரத்திற்கு மட்டும் குறிப்பாக உள்ளது என்று சொல்வதற்கில்லை. ஆகையால் இச்சட்டத்தை மதுரை, திருச்சி, கோயம்பத் தூர் ஆகிய நகரங்களுக்கும் இப்போதே கொண்டுவருவதாக ஏற்றுக்கொண்டாலும் சரி, அல்லது சென்னை நகரத்திற்கும், சர்க்கார் அவ்வப்பொழுது அறிவிக்கும் மற்ற நகரங்களுக்கும் கொண்டு வருவதாக ஒரு திருத்தம் ஏற்றுக்கொண்டாலும் போதுமானதாகும். இந்த உதவி இந்த சந்தர்ப்பத்தில் செய்வதுதான் நல்லது. ஒரே மாதிரியான நிலமையில் இருக்கும் மற்ற நகரங்களை பாரபட்சமாக நடத்துவதுகூடது என்பதை தெரிவித்துக் கொள்ள ஆசைபடுகின்றேன். ஆகையால் இவைகளை ஆலோசனை செய்ய இந்த மசோதாவை பரிசீலனை கமிட்டிக்கு அனுப்பலாம் என்று கேட்டுக்கொள்ளுகிறேன்.”

* SRI K. VINAYAKAM :—“ Mr. Speaker, I am aware of the good objects and laudable aims of this Bill that is now brought before this House. We thank the Government for having brought this good piece of legislation. I had a talk with the Hon. Chief

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Minister as to why this Bill should not be referred to a Select Committee. The Hon. Chief Minister was expressing his doubts whether people who work for this kind of reference to a Select Committee are on the side of the landlords. That is a wrong impression which he has gained out of our intention to refer this Bill to a Select Committee. We are not trying to pamper or encourage the owners of slums. Even in the first instance, I would like to clear this wrong impression. Sir, out of some practical experience which we have gained in the City of Madras, we are for the eradication of slums. There can be no two opinions as far as the necessity for the improvement of slums is concerned. But, how are we to do it? What are the legal lacunae in this Bill? These are things which I want the Government to ponder over. To clear all these troubles, I want this Bill to be referred to a Select Committee. I may assure the Government that we, the Opposition Members will not delay this Bill in the Select Committee for a long time. The Hon. Chief Minister was expressing his doubts that this Bill is likely to be hotly contested by the owners of the slums in the High Court and they are likely to get a favourable verdict. I am aware of such kinds of pitfalls in this Bill and that is the very reason why I want this Bill to be thrashed out properly by a Select Committee.

** Coming to the merits of the Bill, I want to expatiate on one or two points. In the first instance, the word, 'slum' is not properly defined in this Bill. I have perused the literature concerning this subject, viz., the City Improvement Trust Act, the Madras District Municipalities Act and the Town-Planning Act. Nowhere the term, 'slum' is properly defined. There is a misapprehension that slum means a cheri. It is not so. 'Slum' is an exhaustive term which includes cheri also. Slum is a place where not only Harijans but also other economically backward classes of people live. It is partially defined in the Bill as a place where sanitary facilities are not properly provided and is likely to cause danger to public health. This definition is not exhaustive. For instance, I will presently quote some cases out of my experience. In Kodambakkam, there are a few temples which own vast lands. They are lands donated to the temples and have now become slums. Originally, these were vast lands where there was no habitation of any kind. Some years back, some generous philanthropists donated these lands to the temples. Afterwards, due to the influx of population into the City, mostly poor people who had no means of livelihood, wanted to put up some houses on these lands. It is the natural tendency of anyone to own a house of his own. So, these people approach the trustees of the temple and get on lease a piece of land for putting up a hut. Then they put up huts. It is my experience that the trustees charge Rs. 2 or Rs. 3 per ground. I also know instances in which private slum-owners are charging Rs. 2 to Rs. 3 per hut which will be only 10 feet by 10 feet. So, the rates vary from Rs. 2

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per ground to Rs. 40 or Rs. 50 per ground. The Corporation is charging one anna per hut. Hon. Member Sri Ratnam has been posted with incorrect information. I may tell him straightway that the Corporation is not charging beyond 8 annas per sium. Even in those places where it charges 8 annas, it provides the dwellers with all amenities which any part of the City could boast of. In places where the Corporation does not provide any amenities, it charges only one anna. This is done only to get over some legal trouble. If the Corporation did not charge any money, it is likely to be contested by the dwellers after some years, say 12 years or so, that they have gained prescriptive rights. These are some of the practical difficulties which have got to be settled by a Select Committee.

11-10
a.m.

“ It is not as if we are trying to delay the passage of this Bill and see that landlords get fat amounts from the Government by way of compensation. Sir, there is another ‘slum’ in Kodambakkam owned by the Government called Thiruvalluvarpuram Colony. The landlords are the Government. I have been approaching the Government authorities including the Collector of Madras on behalf of the dwellers, if they cannot make out pattas in favour of these people. The Government are aware that there is a ban in force on making out pattas and leasing out lands within a radius of ten miles around the city of Madras. The G.O. stares at the Collector whenever he takes up the question of leasing out lands with the result that it has been possible neither to give the slum-dwellers the land free nor to lease it out to them. What is happening now? There are two hundred huts on this land with no amenities provided to the dwellers. We cannot find fault with the Corporation because they cannot effect any improvements on Government-owned or private-owned slums. If they do anything, there will be audit objections and so the Corporation cannot spend its own money on slums other than their own. The Government also have not done anything to the slum-dwellers. These are the defects in the Bill which we want to rectify at the Select Committee stage. In fact, we help the Government by asking them to refer the Bill to a Select Committee. Sir, there is yet another slum near the Kodambakkam Railway station with nearly 400 huts. Round about this slum have sprung up beautiful colonies like the United India Colony. The owner of this vast slum is harassing the dwellers and is collecting a rent of two rupees per hut. The landlord has not provided them with amenities like flush-out, latrines, water-supply, electric light and passable roads. Therefore, the Government should not rush with this legislation, however laudable its objects may be. If they proceed with it in haste, they will be put in a very inconvenient position later on of having to defend themselves in the High Court against suits. Of course, they may then bring in an amending legislation to rectify the defects contained in the original Act. But we want that such a thing should not happen. These are the factors which have actuated our motion for reference to a Select Committee. The Hon. the Chief Minister was saying that Communists

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were a large-hearted people and were for this good piece of legislation and that we, meaning me and people of my way of thinking, were for the landlords getting more money. Sir, I say that the Government benches are more for the landlords. If we were in power, we would not give any compensation to zamindars and the rest of them. So, Sir, the factors which have actuated us to take up this attitude are equally laudable as those of Congressmen, if not more laudable.

“With these words, I would commend the motion for referring the Bill to a Select Committee.”

* DR. K. B. MENON :—“Mr. Speaker, Sir, I certainly welcome the principle of the Bill as it has been welcomed by many a Member of this House. Nobody contests the principle of the Bill. It is very good that the Government have brought out such a Bill. The very fact that they have done so is an acceptance on the part of the Government of the responsibility of taking care of the poor in the City. To that extent, the Bill is all right and only to that extent, I would like to compliment the Government for bringing forward the Bill.

“Sir, I do not believe that the Bill is so innocuous or so innocent as it seems. It certainly is an important measure and deserves to be carefully gone into. The Hon. the Minister in charge of the Bill, in introducing it, did not give us sufficient information. He was very brief in his remarks and I must confess that we are unable to say much about the Bill itself. This is what happens not only with regard to the present Bill but with regard to every Bill that is presented in this House. Members take a leap in the dark. Members do not have information. They do not have facts. So, I commend it to the Government that when measures of this kind are introduced, full facts must be given to the Opposition. The Government have the advantage of having the information but the Opposition has not got the advantage of having the information. So, the Opposition is unable to express a considered opinion on important measures of this nature. I claim that the Bill before the House is not so innocuous because—I do not wish to question the motives of the Government—one suspects that the Bill, since it is in the interests of the landlords, might have been even suggested by the landlords themselves. The reason is the slums may be depressing the value of lands nearby and the landlords may make an effort to increase the value of their lands by doing away with the slums. But we have no facts. We do not know where the slums are located and how many of them exist in the City. We do not know what the Government propose to do for the poor people. We are not interested in the compensation paid to the landlords. The appreciation in land values in the City is in fact an unearned increment for landlords. It is a social contribution and therefore, the Government would be perfectly justified in confiscating this increment by not paying any compensation at all. But, however, if they decide to pay, they should take a normal year as

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the basic year and determine the compensation amount on that basis. I do not think that any heavy compensation need be paid to landlords. We have not had any guarantee from the Government that, when the slums are cleared, the slum people will be provided with accommodation elsewhere. We do not know, if they will be provided, how they will be provided, how many of them will be provided and all that. We do not know how many of them will be thrown into the street. We want to know the plan of the Government. These are the facts we want the Government to place before us before they press a measure of this kind to be passed. The measure in itself may be good. But once it is brought into force, what would be its social effects, economic effects, upon the people? That is the question that is to be considered. We want more details before we consider this measure. I, therefore, commend that the Bill be referred to a Select Committee and even to an expert committee, if need be, and not immediately pressed here."

11-20
a.m.

* SRI B. K. NALLASWAMI :—“கனம் சபாநாயகர் அவர்களே,

இந்த மசோதாவானது நகர பிரதேசத்திற்கு மிகவும் நன்மை அளிக்குமென்பதில் சந்தேகமில்லை. இந்த மசோதா எல்லா கிராமப் பகுதிகளுக்கும் விஸ்தரிக்கப்பட வேண்டுமென்பதைச் சொல்வதற்காகவே நான் இங்கு எழுந்திருக்கிறேன். குறிப்பாக, பவானி, திருச்செங்கோடு தாலுகாக்களை எடுத்துக்கொண்டால் 20, 30 வருஷங்களாக பட்டா பூமிகளில் ஹரிஜனங்கள் குடியிருந்துகொண்டு வருகிறவர்களுடைய நிலங்களை இன்னும் பட்டா செய்து கொடுக்காமல் இருக்கிறது. ஒவ்வொரு வீட்டிலும் சராசரி 10 பேருக்குமேல் 20 தலை வரை இருந்துகொண்டிருக்கிறார்கள். அங்கே அவர்கள் குடியிருந்துகொண்டு வருவதற்குப் பதிலாக அங்குள்ள கிராம மிராச்தாருக்கு வருஷந்தோறும் ஆயிரம், இரண்டாயிரம் ரூபாய் பெரும்படியான குப்பையை கடந்த 20, 30 வருஷங்களாகவே கொடுத்துக் கொண்டு வருகிறார்கள். பழைய தர்ம்பபடி பார்த்தாலும்கூட, கடங்காரர்கள் கணக்குப்படி பார்த்தாலும்கூட, ஒரு அசலானது கொஞ்ச நாட்களில் இரண்டு மடங்கு வட்டி கொடுத்துவிட்டால் அந்த கடன் ஒழிந்துவிடும் என்றுள்ளது. ஆகையால் அம்மாதிரி அங்குள்ளவர்கள் 500 முதல் 1,000 ரூபாய் வரை பெருமானமுள்ள குப்பைகளை வருஷந்தோறும் கடந்த 20, 30 வருஷங்களாக மிராச்தாரர்களுக்கு கொடுத்தும்படி இன்னும் அந்த பூமிகள் ரூ. 500 பெருமானமானதாயிருந்தாலும் அங்கு வாழும் மக்களுக்கு பட்டா செய்யப்படாமல் இருக்கிறது. அது மாத்திரம் அல்ல. அவர்கள் அடிமையாக வாழக்கூடிய மக்களாகவும், அவர்கள் சொல்லுகிறபடி நடக்கும்படியும் செய்யப்படுகிறார்கள். ஆனால் நம் அரசியல் நிர்ணய சட்டத்தின் கீழ் பெரிய சுதந்திரம் பெற்றுவிட்டதாக சொல்லப்படுகிறது. இந்த அந்திகளை நீக்க மட்டும் செய்யவில்லை. அந்த சேரிகளிலுள்ள மக்கள் அவர்கள் சொல்லுகிறபடி ஒட்டு போடாமலிட்டாலும்கூட அவர்களை அப்புறப்படுத்துவதின் மூலம் ரொம்ப துன்பமல்லாமல், மனித தன்மைக்கும் கேவலமான கொடுமைகளால் துன்பங்களை அனுபவித்துக் கொண்டிருக்கிறார்கள். இந்த மாதிரி இடங்களில் இந்த மசோதா விஸ்தரிக்கப்பட வேண்டுமென்று கூறுவதற்குத்தான் நான் பேசுகின்றேன். காலையிலே கேள்வி நேரத்திலே பார்த்தால்கூட பெரும்பாலான கிராமச் சேரிகளில் தொத்து நோய்கள் பரவுகின்றன என்பதை அங்கத்தினர்கள் தெரிவித்தார்கள். அதிலும் மலபாரை எடுத்துக்கொண்டால் காலரா, டைபாய்டு போன்ற தொத்து வியாதிகள் ஸ்லம் ஏரியாவில் அதாவது பொதுவாக சேரிகளில் அதிகமாக பரவுவதைக் காணலாம். அப்படி இருக்கும்போது இதை நகரத்திற்கு மட்டும் கொண்டு வருவது என்பதில்லாமல், எல்லாப் பிரதேசங்களுக்கும் இந்த மசோதா விஸ்தரிக்கப்பட்டால், அங்குள்ள மக்கள் இந்தமாதிரியான

5th January 1954] [Sri B. K. Nallaswami]

துன்பங்களுக்கு ஆளாக வேண்டியதில்லை என்பதைத் தெரிவித்துக்கொண்டு இந்த மசோதா மற்ற பிரதேசங்களுக்கும் குறிப்பாக கிராமங்களுக்கும் கொண்டுவரவேண்டுமென்று அரசாங்கத்தைக் கேட்டுக்கொண்டு இதை ஆதரிக்கின்றேன்.”

SRI V. R. KRISHNA AYYAR :—“ I rise to warmly welcome this particular legislation which has been introduced by Government. There is hardly to be any opposition to measures of social amelioration of the sort that is now proposed. Certainly there will be unanimous support of the House to the present measure. But all the same I would like to make some suggestions to make the Bill more efficient and more sensible in its working. I join in the criticism that has been made just now, I cannot call it a criticism but rather a constructive suggestion, that Government should not always be city-conscious but should extend these amenities, these ameliorative measures, to those slums outside the City of Madras. There are various places in the districts and mofussil towns where slum-dwellers live in large numbers. It is imperative that the municipalities and other towns should improve their lot. They should be given financial assistance by the Government. I would urge upon this Government to extend the present piece of legislation to other mofussil towns also, where the slums are in large number. They should not concentrate their attention on the city alone. Of course I should admit that I have not personally examined the pros and cons of such a legislation for the improvement of slums in the mofussil towns also. There may be constitutional difficulties. But those difficulties could be overcome if only Government were to apply their minds to them and take necessary action.

“ Coming to the subject of compensation, that is now suggested in the present Bill, I find the present rate proposed is rather too high. Government may find themselves ultimately in a position when on calculating the amount of compensation, they would arrive at a large figure and they may say that because such a huge amount is involved, they cannot proceed with the improvement of the slums. I do not want that such a situation should arise in future. That is why I plead that the quantum of compensation now proposed may be reduced. There is a proposal in the schedule to the present Bill that the average annual income for five consecutive years multiplied by 20 shall be paid as compensation. That works out to 20 times the income from the land. It should be realised that the income from the land is derived by extorting huge rents from these poor slum-dwellers. That should not be lost sight of. Take the case of the Madras Buildings Lease and Rent Control Act. How does it work? How does the controller fix fair rent? When that is the case for buildings, it is all the more necessary that fair rent should be first fixed for these slum dwellings and then on that basis, compensation should be calculated. Otherwise, if we proceed with the present method of calculation, I am afraid that the total compensation to be paid will hit our finances too much. Fair rent is fixed at 25 or 50 per cent in excess of the rent

[Sri V. R. Krishna Ayyar] [5th January 1954]

obtaining a year before 1940 (viz., the outbreak of war). That is how the calculation of fair rent is arrived at under the Rent Control Act. The landlords have got no scruples. They extort from these poor slum-dwellers any rent they choose. Poor slum-dwellers have no chance to voice forth their grievances. Who is there who fixes fair rent for them? Therefore if we are to pay compensation to the already rich landlords by adopting this principle of taking the average annual income from the land for five consecutive years and then multiply it by 20, not only will we be exploiting our own meagre resources but at the same time we will be giving the landlords some more bounty. That is why it is better to adopt the principle followed in the case of the Rent Control Act. Take the average rent prevailing a year before 1940 viz. 1939 (just before the war broke out and rents shot up) and then multiply that fair rent by a smaller multiple than the present 20. Let the multiple be say 15 or 18. After all this piece of legislation is for social amelioration of these poor slum-dwellers. Instead of spending our resources for their uplift, why go on feeding the landlords by way of paying very high compensation?

“ This Slum Improvement Bill is not a final say in the matter. Mere acquisition of lands in slum areas in the City of Madras is not going to confer everlasting benefit on the slum-dwellers or usher in a millennium. What is the cry of the hour? Slum improvement. That is where we should concentrate more. Let me not be mistaken as though I am against Government acquiring the lands wherein the slums are now situated. No doubt, it is a laudable object. But they should not overlook the prime need of the hour. I do not find any mention in the Bill as to the manner in which they are going to improve the condition of the slums. No authority has been specifically entrusted with the work of slum improvement. I do not find either the City Corporation or the City Improvement Trust entrusted with the working of carrying out improvements to the slums by way of provision of electric lights, better roads, suitable provision for clearance of refuse and other civic amenities. I would request the authorities concerned to prepare at least a ‘ minimum plan ’. (I mean the plan which will cost us the minimum) for providing better housing for these slum-dwellers. Let not the spectacle of inordinate delay in the matter of land acquisition proceedings repeat itself here also in the matter of acquisition of lands for slum-dwellers. Let the men in charge of enforcement of this work be asked to be vigilant in their work and let the Government carry out both in letter as well as in action the spirit behind this Bill, viz., the improvement of social condition of our slum-dwellers, who deserve our sympathy.”

11-29
a.m.

* SRI R. S. ARUMUGAM :—“ கனம் சபாநாயகர் அவர்களே, எழைகளுக்கு மனைக்கட்டுகள் கொடுக்கும் விஷயமாக இப்பொழுது இந்த சட்டசபையில் விவாதிக்கப்பட்டு வருகிறது. அவர்கள் இருக்கும் இடங்களை நஷ்ட ஈடு கொடுத்து வாங்கி அவர்களுக்கே அந்த இடங்களைக் கொடுத்து விடவேண்டும் என்று சொல்லப்படுகிறது. இந்த திட்டத்தை என்னைப் போல் உள்ளவர்கள் பாராட்டாமல்

5th January 1954] [Sri R. S. Arumugam]

இருக்க முடியாது. இப்பொழுது பல ஏழைகள் சொந்த வீடுகள் இல்லாமல் இருக்கிறார்கள். ஏழை மக்கள் வேலைக்கு போய்விட்டு வீட்டுக்கு வந்தால் வீடு தன்னுடைய சொந்த வீடாக இருக்கவேண்டும் என்ற கவலை ஏற்படாமல் இருக்காது. தன்னுடையதாக இருக்க வேண்டாமா என்று எண்ணம் தோன்றத்தான் செய்யும். ஏழைகளுக்கு சொந்த வீடு ஒன்று வரப்போகிறது என்பதைக் கேட்க என்னைப் போன்றவர்களுக்கு மிகவும் சந்தோஷமாக இருக்கிறது.

“அதே நேரத்தில் ஒரு வருஷ மொத்த நில வருவாயைப் போல 20 மடங்கு அவர்கள் நஷ்ட ஈடு செலுத்தவேண்டும் என இருக்கிறது. அது அவர்களால் கொடுக்க முடியாது என்பதைப்பற்றி முன்பு பேசிய பலரும் சொன்னார்கள். அதையே தான் நானும் அபிப்பிராயப்படுகிறேன். அந்தத் தொகை முழுவதையும் அந்த வீட்டில் வசிப்பவர்கள் கொடுக்கவேண்டும் என்றால் அவர்களால் அவ்வளவு தொகை செலுத்த முடியுமா? என்பதை சிறிது யோசித்துப்பார்க்கவேண்டும். அதைக் குறைத்து 10 மடங்கு க்குமேல் எவ்விதத்திலும் அதிகப்படாமல் செய்யவேண்டும்.

“அடுத்தபடியாக நண்பர் ரத்தினம் அவர்கள் சொன்ன மாதிரி தொகை எல்லாவற்றையும் அவர்களே கட்டவேண்டும் என்பதை ஓரளவு தளர்த்தி சர்க்கார் அதில் ஒரு பகுதியை செலுத்தினால் தான் அந்த மக்களுக்கு ஒரு அளவு கஷ்டம் இல்லாமல் இருக்கும் என்பதை இந்த இடத்தில் சொல்லிக்கொள்ள ஆசைப்படுகிறேன்.

“மேலும் கிராமங்களில் இருக்கும் தாழ்த்தப்பட்டவர்களை விட நகரங்களில் இருக்கும் தாழ்த்தப்பட்டவர்கள் ஓரளவு அதிகமாக கஷ்டப்பட்டுக் கொண்டிருக்கிறார்கள் என்பதை யாரும் மறுக்க முடியாது. நகரங்களில் வாழும் தாழ்த்தப்பட்டவர்களைவிட கிராமங்களில் வாழும் தாழ்த்தப்பட்டவர்கள் சிறிது விஸ்தாரமான இடத்தில் வசிக்கிறார்கள் என்றாகுட நான் சொல்வேன். நகரத்தில் தாழ்த்தப்பட்டவர்கள் பத்து அடி அகலமுள்ள குடிசைகளில் 2, 3 பேர்க்கூட வாழ்ந்து வருகிறார்கள். இந்த நிலை நகரங்களில் இருந்து வருகிறது. ஆகையால் சகல விதத்திலும் அவர்களுக்கும் பாதுகாப்பு அளிக்க வேண்டியதுதான்.

“சென்னை நகரத்திற்கு மாத்திரம் தான் அது அமுலுக்கு வரப்போகிறது என்றால் அதை நான் ஒத்துக்கொள்வதற்கில்லை. பல நண்பர்கள் சொல்வது போல் இதை எல்லா இடங்களுக்கும் கொண்டுபோகவேண்டியதாக இருக்கிறது. இந்த கஷ்டம் சென்னை நகரத்தில் மட்டும் அல்ல, மதுரை, திருநெல்வேலி, கோயம்பேட்டூர், போன்ற நகரங்களிலும் இருக்கத்தான் செய்கிறது. ஆகவே இந்த சட்டத்தைச் செய்யும் போது எல்லா இடங்களுக்கும் தான் செய்யவேண்டும். அதைவிட்டு விட்டு சென்னை நகரத்தோடு மட்டும் நிறுத்தி விடக்கூடாது. மற்ற இடங்களுக்குக் கொண்டு வராமல் சென்னை நகரத்திற்கு மட்டும் கொண்டு வந்தால் அங்கங்குள்ள நிலச் சொந்தக்காரர்கள் முன்னாக்கிரதையாக இப்பொழுதே அங்கு வசிப்பவர்களை வெளியேற்றி விடுவார்கள். அவ்விதம் அப்புரப்படுத்தும் நிலைமை ஏற்படும். இதற்கு அவர்களுக்கு இடம் கொடுக்காமல் சட்டம் செய்யவேண்டும். தஞ்சையில் விவசாயிகளுக்கு அனுசூலமாக ஒரு சட்டம் வருகிறது என்றால் உடனே அந்த சட்டம் மற்ற இடங்களுக்கும் வந்து விடுமோ என்று அங்கங்குள்ள நிலச்சுவார்தாரிகள் முன் ஜாக்கிரதையாக இருக்கிறார்கள். அதுபோல் சென்னை நகரத்தில் சட்டம் வரும்போது மற்ற இடங்களில் வராமல் இருந்தால் மற்ற இடங்களில் இருக்கும் தாழ்த்தப்பட்டவர்கள் அவதிப்படுவார்கள். அந்த நிலைமை ஏற்படாமல் ஒரே சந்தர்ப்பத்தில் தூதாக்குடி திருநெல்வேலிபோன்ற சென்னை மாகாணத்தில் இருக்கக்கூடிய எல்லா முனிசிபல் நகரங்களுக்கும் இது அமுலுக்கு வரும் படியாக ஏற்பாடு செய்யவேண்டும். இல்லா விட்டால் இப்பொழுது 20 மடங்கு நஷ்ட ஈடு கொடுக்கவேண்டும் என்று இருப்பதைவைத்துக்கொண்டு இப்பொழுது 4, 5 வருஷமாக அதிகமாக வருமானம் வந்ததாக அவர்களிடமிருந்து எழுதி வாங்கிக்கொண்டுவிடுவார்கள். இதற்கு இடம் கொடுக்கக்கூடாது என்று கேட்டுக்கொள்ளுகிறேன். மேலும் கிராமத்துக்கும்

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நகரத்துக்கும் ஹரிஜன பராமரிப்பில் வித்தியாசம் கூடாது. இப்பொழுது ஹரிஜன டிபார்ட்மென்ட்டை எடுத்துக்கொண்டால் கிராமங்களிலுள்ள தாழ்த்தப்பட்ட மக்களுக்குத் தான் சர்க்கார் மனைக்கட்டுகள் கொடுக்கிறார்கள். ஆனால் நகரங்களில் அப்படிக் கொடுப்பது இல்லை. அவர்களுக்கு நகர சபைகளிலும் எந்த விதமான சௌகர்யமும் செய்வது இல்லை. அங்கு பணம் கிடையாது என்று சொல்லிவிடுகிறார்கள். கிராமத்திலுள்ள ஹரிஜனங்களுக்கு எப்படி மனைக்கட்டுகள் கொடுக்கிறார்களோ அதைப் போலவே நகரங்களில் இருக்கிறவர்களுக்கும் கொடுக்கவேண்டும் என்பதே நான் தெரிவித்துக்கொள்கிறேன்.

“அது ஒருபுரமிருக்க. இந்த மசோதாவில் நிலச் சொந்தக்காரர்களுக்கு கொடுக்கப் போவதாக இருக்கும் நஷ்ட ஈட்டைக் குறைக்கவேண்டும் என்றும் அதிலும் சர்க்கார் ஒரு பகுதியைக் கொடுக்க ஏற்றுக்கொள்ளவெண்டும் என்றும் தெரிவித்துக்கொள்கிறேன். ஏழைகளுக்கு பாதுகாப்பு அளிக்க வேண்டியதற்காக சகல வசதிகளையும் செய்வதற்கு சர்க்கார் முன்வரவேண்டும். எல்லா நகரங்களுக்கும் முதலிலேயே வில்தரிக்கும் ஒரு முடிவுக்கு வரவேண்டும். இந்த முறையை ஆலோசனை செய்வதற்கு ஒரு கமிட்டியை நியமித்து அதன் மூலம் நல்ல முடிவுக்கு சீக்கிரமாக வருவதும் தவிரானது அல்ல என்றே என்முடைய அபிப்பிராயத்தைத் தெரிவித்துக் கொண்டு என்னுடைய பேச்சை இத்துடன் முடித்துக்கொள்ளுகிறேன்.”

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உ.ம.

* SRI K. R. SAMBANDAM:—“கனம் சபாநாயகர் அவர்களே, ஸ்ரீ ரத்னம் அவர்கள் கொண்டு வந்த திருத்த பிரேரணையை ஆதரித்து நான் சில விஷயங்களை சர்க்காருடைய கவனத்திற்குச் கொண்டுவர ஆசைப்படுகின்றேன்.

“இந்தப் பிரச்சினையானது சென்னை நகரத்தில் மட்டுமல்லாமல் இந்த ராஜ்யம் பூராவிலுமே தாழ்த்தப்பட்ட மக்களும் சரி, பிற்பட்ட வகுப்பினரும் சரி, மற்ற ஏழைகளுக்காக இருக்கக் கூடியவர்களும் ஸலம் எரியாக்களில் திண்டாடுகிறார்கள். அவர்களுக்கு எந்த விதமான பாதுகாப்பும் கிடையாது. சென்னை நகரம் போன்ற மற்ற முனிசிபல் எரியாக்களிலும், பஞ்சாயத்து எரியாக்களிலும் வசிக்கும் ஏழை மக்களுக்கு, எந்த விதமான பாதுகாப்பும் கிடையாது. அவர்களுக்கு பாதுகாப்பு அளிக்காவிட்டால் அந்த சமுதாயமானது மிகவும் கீழான நிலையிலே போய்க்கொண்டிருப்பது, மாத்திரமல்ல. அது ஒரு தொத்து நோயைப் போல் பரவி ஜனசமுதாயத்தையே அரித்துக்கொண்டிருக்கக்கூடிய நிலைமைக்கு கொண்டுவரப்படும் என்பதை நான் சொல்லத்தேவையில்லை. எனினால், இப்பொழுது இந்த மசோதாவை சர்க்கார் கொண்டுவந்திருப்பதிலிருந்தே ஸலங்களில் வாழும் ஏழை மக்களின் நிலைமை எந்த அளவுக்கு மேசமமாகிக்கொண்டு என்பதை உணர்ந்தே கொண்டு வந்திருக்கிறார்கள் என்பதை தெரிந்துகொள்ளலாம். இந்தப் பிரச்சினையானது உடனடியாகக் கவனிக்கப்படவேண்டிய விஷயம். அதுவும் சென்னை நகரத்தில் மாத்திரமல்ல; இந்த ராஜ்யம்பூராவிலுமே இதே நிலைமைதான் இருக்கிறது.

“சில நிலங்கள் சர்க்காருக்குச் சொந்தமான புரம்போக்கு நிலமாகவும் இருக்கலாம். வேறு யாருக்காவது சொந்தமாகவும் இருக்கலாம். அந்த மாதிரி இருக்கும்போது, சர்க்காருக்குச் சொந்தமான புறம்போக்கு நிலத்தைப் பொருத்த வரையில் எந்த விதமான கஷ்டமும் சர்க்காருக்கு லாபி செய்கு கொடுப்பதில் இருக்க முடியாது. தனி நபர் யாருக்காவது சொந்தமாக உள்ள நிலங்களை சர்க்கார் ‘acquire’ பண்ணும் போதுதான் சில கஷ்டங்கள் ஏற்படுகின்றன.

“கூட்டுவு சங்கங்கள் மூலமாக வசதியுள்ளவர்களுக்கும் பணக்காரர்களுக்கும் இம்மாதிரி நிலங்கள் acquire செய்யப்பட்டு அவர்கள் வீடு கட்டிக் கொள்வதற்கு கொடுக்கப்பட்டு வருகின்றன. அதேசமயத்தில், தங்குவதற்கு வீடு வசதியில்லாமல் தவிப்போருக்கும், பிழைப்புக்கும் வழியில்லாமல் திண்டாடிக் கொண்டிருக்கின்ற ஏழை மக்களுக்கும் கூட்டுறுவு சங்கம் எந்த விதமான பாதுகாப்பும் கொடுக்க முன்வர வில்லை

5th January 1954] [Sri K. R. Sambandam]

ஆகையால், அந்த மாதிரி இனிமேல் வசதியுள்ளவர்களும் பணம் உள்ளவர்களும், வீடு இருக்கிறவர்களும் இம்மாதிரி நிலங்களில் வீடு கட்டிக்கொள்ளலாம் என்ற நியதியை மாற்றி, வீட்டில்லாமல் இருப்பவர்களுக்கு வட்டும் கொடுக்கவேண்டுமென்ற முறை வரவேண்டும். அதற்கு அதிகமாகப் பணம் செலவழிக்கத் தேவையில்லை. ஒரு வீட்டிற்கு ரூ. 1,500 லிருந்து ரூ. 2,000 வரையில் செலவு செய்து சிறு வீடுகளாகக் கட்டி வீட்டில்லாத ஏழைகளுக்குக் கொடுத்து, குறிப்பிட்ட சில வருஷங்களில் அந்தத் தொகையை அவர்களிடமிருந்து வசூலித்துக்கொள்ளலாம். அப்படி ஒரு நிலையை ஏற்படுத்தினால், சமுதாயத்திலே அவர்களுக்கும் ஒரு status உண்டாகும். அந்த நிலைமையை ஏற்படுத்துவதற்கு இந்தக் கூட்டுறவு சங்கங்களை நன்றாகப் பயன் படுத்திக்கொள்ளவேண்டுமென்று நான் சர்க்காருடைய கவனத்திற்கு கொண்டு வர விரும்புகின்றேன்.

“இந்தத் திட்டம் எல்லா இடங்களுக்கும் விஸ்தரிக்கப்படவேண்டும். அப்படி விஸ்தரித்தால்தான் இதனுடைய நலன்களை எல்லோரும் அடைந்ததாகக் கருத முடியும்.

“மனைக்கட்டுகளில் தங்கி இருக்கும் குடும்பங்களின் எண்ணிக்கை பெருகும்போது இட நெருக்கடி ஏற்படுகிறது உதாரணமாக, ஒரு இடத்தில் 100 குடும்பங்கள் இருந்தால், பிறகு ஜனத்தொகை அதிகரித்து, குடும்பங்கள் அதிகரிக்கும்போது, அந்த 100 குடும்பங்கள் இருந்த இடத்திலேயே அதிகப்படியான குடும்பங்களும் இருக்க வேண்டிய நிலை ஏற்படுகிறது. அந்த மாதிரி இருக்கும் போது, அவர்கள் தங்குவதற்கு வசதியில்லாமல் பல விதமான கஷ்டங்களுக்குள்ளாகிறார்கள். அந்த மாதிரியான நிலையை மாற்றியமைப்பதற்கு கிராமங்கள் தோறும், பஞ்சாயத்து ஏரியாக் களுக்கும் இந்த ஸ்லம் சட்டத்தைக் கொண்டுவந்து, அதற்காக ஒரு நிதியை ஒதுக்கி, அவர்களுக்கு வீடு கட்டிக்கொடுக்கும் திட்டத்தை கொண்டு வந்தால், இந்த வீட்டுப் பிரச்னையையும், மனைக்கட்டிலிருந்து வெளியேற்றப் படும் பிரச்னையையும் உடனடியாக தமிழ்நாட்டிலிருந்தே விரட்டிவிடலாமென்று நினைக்கிறேன். சர்க்கார் இந்தப் பிரச்னையை உடனடியாக மனதில் கருதவேண்டும். வீட்டில்லாமல் ஏழை மக்கள் ரோட்டுகளிலும், நடைபாதைகளிலும் படுத்துக்கொண்டு அவர்கள் குடும்ப வாழ்க்கையை நடத்திக் கொண்டு வருகிறார்கள். இது மிகவும் கேவலமாக இருப்பது மட்டுமல்ல. அந்த மாதிரி இருப்பவர்கள் ஒரு தனி கூட்டமாக ஏற்பட்டு - ஷெட்யூல் வகுப்பினர், தாழ்த்தப்பட்டவர்கள் போல மிகப் பெரிய ஒரு தனிக் கூட்டம் ஏற்பட்டுவிடும் என்று நினைக்கின்றேன். அதில் ஜாதி பாகுபாடு இல்லை. தங்குவதற்கு குடிசையில்லாத ஏழைகள் என்ற அந்த ஒரே முறையில்தான் இந்தக் கூட்டம் நாளுக்கு நாள் வளர்ந்து வருகிறது. இந்த நிலைமையை சர்க்கார் முக்கியமாக கவனத்தில் வைத்து, இந்த மசோதாவானது மற்ற இடங்களுக்கும் விஸ்தரிக்கப்பட்டு, அவர்களுடைய நிலைமையையும் மாற்றியமைக்கவேண்டும்மென்று கேட்டுக்கொண்டு என்னுடைய வார்த்தையை இத்துடன் முடித்துக்கொள்ளுகிறேன்.”

* SRI C. KANDASAMY :—“கனம் சபாநாயகர் அவர்களே, 11-40 a.m.
இந்த மசோதா சம்பந்தமாகப் பேசிய பல அங்கத்தினர்கள் இதை ஒரு பொறுக்குக் கமிட்டிக்கு விடவேண்டுமென்று பேசியிருப்பார்கள். அவர்கள் சொன்ன விஷயங்களையே நான் இப்பொழுது திருப்பிப் பேச விரும்பவில்லை. இது ஒரு முக்கியமான பிரச்னை. சென்ற காலத்தில் அரசாங்கத்தின் நடைமுறையைக் கணக்கில் எடுத்துக்கொண்டு நான் இதைப்பற்றி விளக்கம் கூறுவதற்கு எழுந்து நிற்கின்றேன்.

—“சேரி வாழ்வோரின் எண்ணிக்கை நாளுக்கு நாள் பெருகிக்கொண்டு வருகிறது. இந்த நகரத்தில் மாத்திரமல்ல, இந்த ராஜ்யத்தில் இதைப் போன்ற அனேக பெரிய நகரங்களில் சேரி வாழ்வோர் பெருகிக்கொண்டிருக்கிறார்கள். இந்தப் பெரிய நகரத்தின் சேரிகளில் வசிக்கும் ஏழைகள் படும் கஷ்டங்கள் கொஞ்ச நஞ்சமல்ல என்பதை நான் இங்கு எடுத்துக் கூறத் தேவையில்லை.

[Sri C. Kandasamy]

[5th January 1954]

“அரசாங்கத்திற்குச் சொந்தமான பல நிலங்களில் ஏழைகள் வசிக்கின்றார்கள். அந்த மாதிரி இடங்களை இந்தச் சர்க்கார் எந்த அளவுக்கு அபிவிருத்தி செய்திருக்கிறார்களென்பதைப் பார்க்கும்போது, சென்ற இரண்டு வருஷங்களாக அவர்கள் எந்த நடவடிக்கையும் எடுத்ததாக எங்குத் தெரியவில்லை. இந்த முக்கியமான பிரச்சனையில் சென்ற இரண்டு வருஷ காலத்தில் சர்க்கார் ஒரு நடவடிக்கையும் எடுக்காத ஒரு காரணத்தினால், சர்க்காருக்குச் சொந்தமான நிலங்களில் வசிக்கும் ஏழைகள் மிகவும் கஷ்டப்பட்டுக்கொண்டு வருகிறார்கள். சட்டத்தைப் பூராவும் படித்துப்பார்க்கும்போது, சட்டத்தில் அவர்கள் கோரக்கூடிய அதிகாரம் உடனடியாக சேரிகளை அபிவிருத்தி செய்வதற்கு எந்த விதமான ஒரு அதிகாரமும் சட்டத்தில் இல்லை. சேரிகளை அபிவிருத்தி செய்வதற்குப் பதிலாக, அதற்கு நேர்மாறான முறையில் இந்த மசோதாவில் அதிகாரம் கோரப்படுகிறது. இந்த மசோதாவில் ஒவ்வொரு பகுதியிலும், சேரியைக் காலி செய்யவும், அபிவிருத்தி செய்யவும் அதிகாரம் கோரப்படுகிறது. இந்த அதிகாரம் இரண்டு பக்கத்திலும் உபயோகப்படலாம் என்பது இயற்கையே. சென்ற கால நடைமுறையைப் பார்க்கும்போது இது எந்த முறையில் ஏழை மக்களுக்கு அனுசூலமாக இருக்கும் என்பதை தெரிந்துக்கொள்ள முடியவில்லை. ஆகவே, Clearance or improvement என்ற பகுதிகளைப்பற்றி யெல்லாம் அரசாங்கத்தின் அபிப்பிராயம் என்ன என்பதைத் திட்டவட்டமாக கனம் மந்திரி அவர்கள் தெரிவிக்கவேண்டும். இந்தச் சட்டமானது பெரும்பாலும் சேரி அபிவிருத்திக்காகவே உபயோகப் படுத்தப்படும் என்று சொல்லக்கூடிய அளவுக்கு சர்க்கார் உறுதியளிக்கவேண்டும். கனம் மந்திரி அவர்கள் இதற்கு விளக்கம் கூற வேண்டுமாய்க் கேடுக்கொள்ளுகிறேன். இம்மாதிரி பல பிரச்சனைகள் இந்த மசோதாவில் இருப்பதால், இதைக் கூடுமானவரை பரிசீலனை செய்வது அவசியம். ஆகவேதான் இந்த மசோதாவைப் பொறுக்குக் கமிட்டிக்கு விட்டு, அந்தக் கமிட்டி இதை உடனடியாகப் பரிசீலனை செய்து, வெகுவினையில் சட்டசபைமுன் இது வரும்படியான ஏற்பாட்டை சர்க்கார் செய்யவேண்டும். திருத்தத்தை நான் ஆதரிக்கின்றேன்.”

* SRI A. RAMASAMY TEVAR:—“Mr. Speaker, Sir, I want to say a few words on the Bill brought by the Hon. Chief Minister. It is a very good measure. But from my own experience I say in practical application there will be much difficulty. Just like so many hon. Members, I too want that this legislation should be extended to the rural parts. I have got some experience of the Tiruchirappalli Municipal Council. It is very difficult to spend money for the improvement of slums. I know Hon. Ministers visit municipalities, but go away even without looking at the slum areas. Now that Government have chosen a young Minister for Local Administration, if ever he visits Tiruchirappalli, I request that he should necessarily visit some of the slum areas and try to understand the difficulties there. Some hon. Member said that the Madras Corporation charges rent at Rs. 2 per hutment while in other municipalities, no rent is charged but free land and free huts are provided. It is very difficult to improve the slum areas unless Government spend some money.

“Of course, this is a good measure and a welcome measure. The Hon. Chief Minister has come forward to improve the slums in the Madras Corporation area. I would request him to kindly visit slum areas within municipal limits also whenever he goes to maffassal areas and extend this Act to municipalities also. Thereby we could do something for the betterment of Harijans and backward classes living in slum areas.”

5th January 1954]

SRI S. VADIVELU :—“ மதிப்புக்குரிய சபாநாயகர் அவர்களே, இப்பொழுது கொண்டுவந்திருக்கும் பிரச்சனை மிகமிக முக்கியமானது. குறிப்பாக இந்நாடு சுதந்திரம் அடைந்து ஆறு ஆண்டுகள் ஆகியும் ஆதிதிராவிட மக்கள் ஒருவித உரிமையும் இல்லாமல் இருப்பதை மிக மிக வருத்தத்துடன் சொல்லவேண்டியதாயிருக்கிறது. இருந்தாலும் கனம் சுகாதார மந்திரி அவர்கள் இந்தச் சென்னை சேரி அபிவிருத்தி மசோதாவைக் கொண்டு வருவதற்காக சந்தோஷப்படுகிறேன். ஆதிதிராவிட மக்களின் நலம் கருதி தீர ஆலோசித்துக் கொண்டுவர வேண்டுமெய்லலாது அள்ளித் தெளித்த அவசரக் கோலமாக இருக்கக்கூடாது. நண்பர் ராமலிங்கம் அவர்கள் இந்த மசோதாவை பரிசீலனைக்குப் பொறுக்கு கமிட்டிக்கு விட வேண்டும் என்பதை நான் ஆதரிக்கிறேன். இன்று பாடுபடக்கூடிய பழங்குடி மக்களின் அவலநிலையைப் போக்குவதற்கு இம்மசோதா பேருதவியாயிருக்குமென்று நினைக்கிறேன். இப்பொழுதிருக்கும் நெருக்கடியைப் போக்கவேண்டுமென்றால், இம்மசோதாவை மற்றெல்லா நகரங்களுக்கும் விஸ்தரிக்கப் வேண்டும்.

11-45
a.m.

“ தஞ்சை ஜில்லாவை எடுத்துக்கொண்டால் ஆதிதிராவிடப் பழங்குடிமக்கள் அதிகப்படியாக இருக்கிறார்கள். கடந்த 1952-ம் ஆண்டு பட்ஜட் விவாதத்தின் போது நான் “அங்கு இருக்கும் நிலப்பிரபுக்களும், ஜமீன்தார்களும், மிராஸ் தார்களும் அங்கு குடியிருந்த ஆதிதிராவிட பாட்டாளி மக்களை விரட்டி அவர்கள் வீடுகளைக் கொளுத்தி இருக்கிறார்கள்” என்று சொல்லி இருக்கிறேன் இன்றைக்கும் அவர்களை வெளியேற்றிக்கொண்டு இருக்கிறார்கள் என்பது கனம் முதல் மந்திரி அவர்களுக்கும் தெரிந்த விஷயம். இன்றைக்கு இந்தச் சட்டம் சென்னை நகருக்கு மட்டுமின்றி மற்றெல்லா இடங்களுக்கும் கொண்டுவந்தால் வீடின்றி வாடும் ஆதிதிராவிட மக்கள் பயன் அடைவார்கள் என்பதைச் சபையின் கவனத்திற்குக் கொண்டுவருகின்றேன். இந்த நாட்டிலே உழைக்கக்கூடிய மக்களுக்கு அவர்கள் குந்தி இருக்கக்கூட குடிசையில்லாமல் கிராமாதிதிரங்களிலே தவிக்கிறார்கள். இது கிராமங்களுக்கு முக்கியமாகக் தேவைப்படுகிறது. ஆதலால் நண்பர் ராமலிங்கம் கொண்டுவந்திருக்கும் இந்தத் ஆலோசனையை எந்த விதமான எதிர்ப்பும் இல்லாமல் ஆதரிக்குமாறு எல்லா அங்கத்தினர்களையும் கேட்டுக்கொள்ளுகிறேன்.”

* **SRI M. JAGANNATHAN** :—“ Mr. Speaker, Sir, while supporting this Bill, I would like to make some observations. This Bill seeks to provide for the acquisition of lands in slum areas in the City of Madras. By introducing this Bill, Rajaji has shown his courage of conviction, as the benefit of this Bill goes to the vast mass of Harijans who are slum-dwellers in the City of Madras. Rajaji is worth his weight in gold for all his generosity, sympathy and goodness towards Harijans. This legislation is a clear indication of all his best intentions for the uplift of the Harijans in the City. By this legislation, the living condition of the Harijans in Madras will be improved. Most of these people are living under very insanitary conditions which are heart-rending to see. Their huts are mere mud and slush during rainy seasons; their huts are half in ruins and they lead a sort of sub-human life. This Bill will, therefore, be a panacea to them.

“ Sir, I do not want to dilate upon the merits or demerits of this Bill, excepting to make a few remarks regarding clause 4. This clause provides for the transfer of land in a slum area by Government. As hon. Mr. Ratnam remarked, if the land is handed over to the Corporation or the City Improvement Trust or the Board of Trustees, the improvement will not be satisfactory. For

[Sri M. Jagannathan] [5th January 1954]

these agencies are not interested in the uplift of the Harijans as such. Therefore, it is the duty of the Government to see that they themselves take over the lands and deal with matters of improvement, etc., directly.

"Again, with regard to payment of compensation, it is provided that 20 times the net average annual income be paid. This is rather harsh to the slum-dwellers. Therefore, I suggest that Government may reduce this amount and make it ten times instead of 20 times. I also request that Government should not only reduce the amount, but also bear at least half the cost of acquisition of such lands. Therefore I support this Bill, whole-heartedly with these few words."

11-25
a.m.

SRI S. RAMALINGAM :—"கனம் சபாநாயகர் அவர்களே, இதன் பேரில் இருக்கக்கூடிய திருத்தப் பிரேரேபணையை ஆதரித்துப் பேசுவதற்கு முன்னதாக கனம் (Public Health) சுகாதார மந்திரி கொண்டு வந்திருக்கும் இந்த மசோதாவை வரவேற்கிறேன். ஏனென்றால் சென்னையில் இருக்கக்கூடிய சேரிகளை அபிவிருத்தி செய்வதற்காக நடவடிக்கை எடுக்கவேண்டுமென்று கொண்டுவந்திருக்கிறார்கள். இதே சமயத்தில் சென்னைப்போன்ற நகரங்களுக்கு மட்டுமல்லாமல் மற்ற முனிசிபல் நகரங்களிலும் இந்த நிலைமைதான் நிலவி வருகிறது. ஆகையால் இந்த மாதிரி அபிவிருத்தி செய்வது சென்னை நகரத்திற்கு மட்டுமல்லாமல் மற்றெல்லா முனிசிபல் நகரங்களுக்கும் விஸ்தரிக்கவேண்டும்.

"இதில் காணப்படும் முக்கியமான அம்சங்களிலே ஒன்று சர்க்கார் இந்த சேரிகளை எடுத்துக்கொண்டால் சேரிவாசிகள் நஷ்ட ஈடு கொடுக்க வேண்டுமென்று காணப்படுவது. சர்க்கார் எடுத்துக்கொண்டால், சர்க்காரே நஷ்டஈட்டை ஏற்றுக்கொள்ளவேண்டும். இல்லையெல் கார்ப்பொரேஷன் எடுத்துக்கொண்டால் அவர்களே அந்த நஷ்ட ஈட்டை கொடுக்கவேண்டும். சேரியில் வாழும் மக்கள் மிகவும் கஷ்ட நிலையில் இருப்பதனால் அவர்கள் இந்த நஷ்ட ஈட்டைக் கொடுக்க வேண்டுமென்பது பொருந்தாது. மேலும் சேரி வாசிகள் எவ்வளவு கொடுக்க வேண்டுமென்பதுபற்றி சர்க்கார் என்ன நினைக்கிறார்களோ அது நிர்ணயிக்கப்படவில்லை. அதைப்பற்றி ஒன்றும் சரியாகத் தெரியவில்லை. இந்த நஷ்ட ஈடு எவ்வளவு என்பதில் இந்தச் சேரியின் சொந்தக்காரர்களுக்குள் அபிப்பிராய பேதம் ஏற்படுகிறது. ஒரு வருஷத்தில் கிடைக்கக்கூடிய மொத்த வருமானத் தைப்போல் 20 மடங்கு கொடுக்கவேண்டுமென்று இருக்கிறது. அந்த 20 மடங்கு என்று சொல்லுவது மிகவும் அதிகம்தான் என்று நினைக்கிறேன். சேரிகளைப் பார்த்தால் சில இடங்களில் 10, 12 குடிசைகள் இருக்கின்றன. ஒவ்வொரு குடிசைக்கும் இரண்டு மூன்று ரூபாய் வாடகை வசூல் பண்ணுகிறார்கள். இந்தத் தொகை இந்த மசோதாமூலம் கொடுக்க வேண்டி வருகிறது. அவர்கள் மிகவும் ஏழைகளாக இருப்பதால் இந்த அதிகமான தொகை குறைக்கப்படவேண்டும். சாதாரணமாக இவ்வளவு அதிகமான தொகை இந்த மசோதாவின் பிரகாரம் பார்த்தால் சேரியில் வாழும் ஏழை மக்கள் கொடுக்கும்படியான நிர்வந்தம் ஏற்படுகிறது.

"இதைப்பற்றி ஆராய்வதை பொறுக்குக் கமிட்டிக்கு விட்டால் அது நன்றாகப் பரிசீலனை செய்து ஒரு முடிவு ஏற்படுமென்று நினைக்கிறேன்.

"The gross rent shall be determined by the prescribed authority by local enquiry, and if necessary, by obtaining certified copies of extracts from the property-tax assessment books of the Corporation showing the rental values of any such lands, huts or buildings.

"கார்ப்பொரேஷன் தஸ்தாவேஜியிலுள்ள வாடகை மதிப்பு அவர்களின் மொத்த வருமானத்தின்மேல் விதிக்கப்படும் வரி முதலியவைகள்

5th January 1954] [Sri S. Ramalingam]

மூலமாக அவர்கள் கொடுக்கவேண்டிய வாடகை, இதற்காக நியமிக்கப் பட்டிருக்கும் அதிகாரிகளால், நிர்ணயிக்கப்படுகிறது என்று நினைக்கிறேன். இது அவசியம் இல்லை என்று தோன்றுகிறது.

“பல அங்கத்தினர்கள் இங்கு சொன்ன மாதிரி சேரிகள் அபிவிருத்திக் காகவும், அங்கே தொத்து நோய் பரவாமலிருக்க வேண்டிய சுகாதார வசதிகளை செய்யவேண்டும். இதற்காக அவசியம் செலவிட வேண்டியிருக்கிறது.

“அபிவிருத்திச் செய்யவேண்டிய இடங்களை அங்கு குடியிருப்போர் காலி செய்தால் அவர்கள் தற்காலிகமாக குடியிருப்பதற்கு என்ன வசதி அளிக்கப்பட்டிருக்கிறது என்பதை தெளிவு படுத்தவில்லை. அவர் கள் குடியிருக்கும் இடங்களிலிருந்து நெருக்கடியான இந்தக் காலத்தில் அவர்களை திடீரென்று காலி செய்துவிட்டால் அவர்கள் என்ன செய்வார்கள். அதனால் அவர்கள் மிகவும் கஷ்டப்படும்படியாக இருக்கும். ஆதலால் சேரிகள் அபிவிருத்தி வேலை ஆரம்பிக்குமுன் அவர்கள் குடியிருக்க வசதியுள்ள இடங்களை ஏற்படுத்திவிட்டு பிறகு அபிவிருத்தி வேலைகளை ஆரம்பிக்க வேண்டும். இதுபற்றி எதும் இந்த மசோதாவில் காணப் படவில்லை.

“இதில் முக்கியமான இரண்டு ஆட்சேபணைகள் இருக்கின்றன. முதலாவதாக சேரியில் குடியிருப்போர் வாழும் இடத்திற்கு நஷ்ட ஈடுத் தொகை மிகவும் அதிகமாகக்கொடுக்கப்படுகிறது. ஆகையால் அது குறைக்கப்படவேண்டும். அதற்காக ஒரு குறிப்பிட்ட தொகையை நிர்ணயிக்கவேண்டும்.

“இரண்டாவதாக இந்த மசோதா சென்னைக்கு மட்டு மல்லாமல் மற்றெல்லா முனிசிபல் நகரங்களுக்கும் இதை விஸ்தரிக்க வேண்டுமென்று கேட்டுக்கொள்ளுகிறேன். இதை நன்கு பரிசீலனை செய்வதற்காக பொருக்குக் கமிட்டிக்கு விடவேண்டும். இதற்கு சர்க்கார் வேண்டிய ஏற்பாடுகள் செய்யவேண்டுமென்று கேட்டுக்கொள்ளுகிறேன்.”

* SRI N. GOPALA MENON :—“Mr. Speaker, Sir, I think this is one of the best measures that has been introduced in this session. If a prize were to be awarded for the best measure introduced in this session, I think the Hon. Minister for Public Health will walk away with that prize. Slum clearance has been engaging the attention of the Government and the Corporation of Madras for a very long time, and it has baffled all attempts at a satisfactory solution. There are in the City of Madras a large number of Government slums, Corporation slums and private slums. Government slums are almost equal in number to the slums that are owned by private parties and also the Corporation. For a very long time, the Government have not taken any step for clearance of their own slums. When they introduce a Bill like this, they should see that their own slums are put in order. Every time the Corporation or other public bodies came forward saying that the slums ought to be cleared, the question of finance always stood in the way. I know that for the last twenty or thirty years every Mayor and every Corporation Councillor has been saying that their paramount duty is the clearance of slums. They were not able to make much headway because of financial difficulties and possibly also because of the absence of a measure like this enabling the Government to acquire lands belonging to private parties. Whenever the Government initiate proceedings under the Land Acquisition Act, they are practically stirring up the hornets' nest.

12
noon.

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We find a large number of persons immediately claiming a right to the huts and superstructures and for benefits under the City Tenants Protection Act and so on and so forth. So it takes a very long time for acquiring the lands and clearing the slums. Therefore the Corporation and the Government have been very hesitant in launching proceedings under the Land Acquisition Act. This measure will certainly expedite the acquisition of land, and I hope the Government will take early steps for the acquisition of slum areas.

" There is a provision in the Bill which, I think, may not get public support or at any rate the support of the owners of slums, and that is the provision for the determination of compensation in respect of these slums. The Bill provides that the compensation shall be twenty times the net average annual income during the five years immediately preceding the acquisition. In most of the slums, the owners may get practically no income at all. It is all a vast tract of land where there are numerous huts, the land being uneven, and slushy during the rainy season. The slum owners may agitate for market value as compensation. When their income from the slums is nothing, they may say that twenty times nothing is nothing and that they may not get any compensation at all. It is not fair to acquire lands without paying any compensation. It is better that the Government reconsider that provision and provide for the payment of market value as compensation.

" I find in this Bill a clause barring the jurisdiction of civil courts in respect of matters coming under the purview of this Act. Unfortunately in Bill after Bill we find that the jurisdiction of civil courts is taken away. When the jurisdiction of civil courts is barred, the public feel that there is something wrong, something which is not proper or fair and which therefore cannot be placed before a court. That feeling must be dispelled, and we cannot dispel it as long as we introduce a clause like this in the Bills. If a person feels really aggrieved, it is for the judiciary to go into his grievance, see whether the Government have applied the provisions of the law properly and then decide. Why should we fight shy of placing the matter before a court for proper adjudication? I feel that a measure like this should not contain a provision barring the jurisdiction of civil courts.

" Several speakers who preceded me have said that the condition of slums in the City of Madras and in other cities is extremely bad. People who have been doing social work either in Madras or elsewhere will agree with me that these miserable and unfortunate people are living in places which are not fit for even cattle to live in. When the rains come, the whole place is flooded, and the belongings of the slum-dwellers have to be removed as otherwise they are washed away. Slum dwellers do not have even ordinary public conveniences and bathing places. They are suffering for want of even the ordinary amenities of life. The Government

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should implement this Act quickly, acquire the slums and provide them amenities so as to enable the slum-dwellers to live in better and healthier surroundings."

* THE HON. SRI C. RAJAGOPALACHARI :—" Mr. Speaker, Sir, I am grateful for the very warm reception that has been given to the Bill. I am grateful in spite of the doubts expressed and the questions raised along with the appreciation, because the totality of appreciation is very important in a measure of this kind.

"Coming to the proposal for reference to a Select Committee, I am earnestly pleading that it should not be pressed. I am extremely anxious that this Bill should not be delayed. Though it may be thought that we can get the report of the Select Committee very quickly and dispose of the whole matter, it will not always work. The question is full of very delicate difficulties. I think this is the first time that a measure of this kind providing for acquisition of very valuable property has been attempted, and all sorts of difficulties can be raised. Without going into details, I would appeal to hon. Members, who are all at one with us in getting this measure through, not to press for a Select Committee. We shall go into the reasons for some Members pressing for a Select Committee. The first point mentioned was that this should not share the fate of many other well-meaning legislative measures which were not really put into practice on account of the difficulties that had to be overcome. I am humble enough to accept what Mr. Ratnam has urged that we do many things hoping to achieve something, but we fail on account of practical difficulties in achieving as much as we expected. While I admit that, I do not think that that should be a reason for our not attempting to do things. All social reform measures are difficult and are not as easy as they look on paper. A thing may look very simple, but there may be difficulties in actually working it. We have to tolerate one another and work for overcoming the difficulties.

"Most of Sri Ratnam's observations are based on the notion that all these slum-dwellers or squatters are Harijans. It is not so. Quite a number of non-Harijans are also there. It is not as if Harijans have migrated from the mufassal. Their residences in the villages are much better than the huts they have got in the City. It is poverty, business in the City and occupational necessity that produce these slums. It is poverty and pressure of work that brings people here. All communities who are prepared to do manual work are involved in this, and we need not give it the colour of any sub-communal character. The problem is quite different from a communal question.

"With regard to the actual difficulties that have been pointed out and the doubts that have been raised, I would like to mention this. Reference was made to, what are called, Government slums. The difference between the Government slum and the private owner's slum is this. In the latter case, the slum dwellers pay to

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the owner something, whether it is small or big, regular or irregular. But in the case of the Government land, they occupy it without any permission, simply as invaders. To that extent, they have so to say held the land like conquerors and not like tenants. Therefore, the Government have naturally not been in a position to regularize such a matter because we do not take any rent and we do not claim to take any rent; we do not even expressly permit it. That is my answer to what has been urged, namely, that the Government are even more remiss in this matter than private people. I do not at all support the attitude and I have always stood against that attitude, namely, that we can clear these people out. The entire phraseology adopted in this connection is, in my opinion, wrong. The phraseology of slum clearance is wrong. Of course, we have to clear these people out in some places. But their improvement and the question of providing housing accommodation for these manual labourers who are in the City for a very essential purpose of society should be prominent before us rather than anything else. That is why this Bill has been introduced. At the same time, some hon. Members have spoken as if every squatter should be given the right to squat. That would be a dangerous thing to do. It should not be accepted as a universal proposition that anybody may go and squat anywhere, that he has only to wait for a little time and that then we must give him the right to continue there. That would not be right. We would be undermining the very foundation of order and social peace if we do such a thing. Therefore, we should steer in between and see what is right and just to do. Every squatter should not be entitled to remain where he is. There are instances where really the so-called slum should be cleared. But, as a matter of fact, in most cases, the men and women who live in such slums in the City of Madras do so in order to do very essential work. They have chosen those places in spite of the inconveniences involved because they have to work in the neighbourhood and they have to live near the place of their occupation. Therefore, we must protect their right of residence in the City and we must, as far as possible, recognize the desirability to let these men live in that locality. Then, we must improve their living conditions. For that purpose, nothing can be done unless we acquire the land from those who own the private property. If we acquire these sites, then the whole picture will be clear to us and we can improve the general position. It is with this object that this Bill has been introduced. I do not mitigate the charges that have been levelled against whosoever it may be, who are responsible for and who have permitted this kind of thing. I am only explaining how it has arisen. Our policy clearly is (1) a bias in favour of improvement rather than clearance, and (2) a bias in favour of providing a place to live in to the persons who are working in the City and who are not merely speculators but who have come in and who are really engaged in some occupation in the City. Taking all these into account, I submit that the proposals that have been made in the Bill are good enough and elastic enough for the purposes of effective execution.

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“ It has been stated, first of all, that an amendment is necessary to extend the provisions of the Bill to the other municipalities also. That is No. 1. Personally, I have no objection to do it. It can be done by the insertion of a suitable clause. But I would rather that hon. Members do not launch out to do something that will delay matters. We would rather pass this Bill and we can bring in an amendment at the next session for the purpose of having an enabling clause to extend it to the other municipalities. We have gone through a certain procedure in order to make this Bill regular and proper. I would not now like to open that subject by adding substantially to the jurisdiction of the Bill. I would, therefore, request hon. Members to be content with the Bill as it is and to wait for an amending Bill for extending it to other municipalities from time to time. I promise to do that if I have any connection with Government then. I promise to do that in the next session. I would rather like the present Bill to get through in the form in which it stands.

“ Then, the question of compensation comes up. I may not be able to take hon. Members into all the ramifications of this delicate question. There is an article in the Constitution which binds us and we have to give reasonable compensation. We cannot be unreasonable in any case. Therefore, we have evolved a formula. Now, I want hon. Members to examine that formula closely along with the Schedule that is attached to the Bill. The formula is that we take the average of the previous five years' actual returns, not paper returns, to the owner of the property and the compensation is calculated on that basis. It is likely that fictitious accounts come into existence after this discussion. So, not only the present returns but the previous five years' returns will have to be taken into account. We will make the best of the situation and where there are no documents, the Government will always make presumptions as to the returns to the owner from whom they have to acquire the land. There is no difficulty about that. Therefore, the formula that has been put down here is sufficiently reasonable so far as the law is concerned, so far as the article in the Constitution is concerned and so far as the finances of the Government and the Corporation are concerned.

“ Then, with regard to the formula, I give this assurance that there is nothing to be afraid of and that the principle of fixing the compensation at twenty times the net average annual income actually derived from the land during the previous five years is a fairly just and reasonable one. But if, in the course of the discussion, it appears necessary to reduce it to any lower figure, the Government would have no objection whatsoever to it. If it comes to that, we would agree to a compromise. For this purpose, we need not set up a Select Committee.

“ Regarding the other matter, I understand that the hon. the Leader of the Opposition has just given notice of an amendment that there should be a limit placed on the amount or proportion of

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the cost of acquisition that has to be recovered from the allottee of the land. Now, I submit, with all the earnestness that I can command, that it is not necessary or even desirable to have this limitation because once we put a limitation, it becomes the minimum and that is the tendency always. Hon. Members will remember that there are two sub-clauses in clause 4 of the Bill, which deal with the transfer of land in a slum area by the Government. Sub-clause (2) provides for the cost of acquisition being transferred as a liability to the Corporation and there too, the State fixes the proportion, taking into account the finances of the body concerned and the merits of the particular land and the situation created by the acquisition. Sub-clause (3) deals with the allotment of the land by the Government, when they themselves take over the area by means of acquisition, and how the burden should be distributed. We have in both the cases provided a very flexible rule. Where the land is transferred to the Corporation or the Board of Trustees, it shall be liable to pay such portion of the cost of acquisition as the State Government may fix in each case. In the case of the private allottee, the squatter, so to say, will bear the burden which, in the particular case, may be found suitable for the situation. Now, the Government have already provided in the Bill that it shall only be a proportion that is transferred and not the whole. The Government have taken power to fix the proportion thereof. Now, there are squatters of all kinds. We do not know who may be, in any particular case, the person involved as the allottee. It is better that we provide a very wide and flexible rule rather than fix a percentage like 50 per cent as the hon. the Leader of the Opposition Sri Ramamurthi proposed just now. I am afraid that will not really benefit the allottee. It will work the other way about and it is not good or desirable to fix, even by way of caution, an excess or top limit, because the maximum has a tendency to become the average. I would rather that the flexible rule remains as it stands and I would beg of the hon. the Leader of the Opposition not to press his amendment of which he has just now given notice. Therefore, I earnestly beg that no delay need be caused by referring the Bill to a Select Committee. These are too very small matters. On the question of extension of the Bill to the other municipalities, I am appealing to hon. Members not to press for it now but to wait for the next session and it may be provided then by a comprehensive clause in the form of an amendment that the Government may extend it to various municipalities from time to time. This assurance of mine should be deemed enough instead of getting a clause inserted and still depending on the Government for extending the Bill to the other municipalities later on. There will be no great difference within the short period that has to elapse for the next sitting of the Assembly. If this Bill is passed now, we will make a concrete first step in the direction of the progress of slum work.

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sorts of accounts. If we now discuss it in the House and put it off for execution at a later date, what will happen is, incomes will be shown and accounts will be produced. We will have to go into all sorts of these difficulties. I submit that we should not do that, but get through this Bill now. If we succeed in getting a workable scheme for the City of Madras based upon this legislation which is now before the House, I am sure it will be the first step towards improvement of slums throughout the State of Madras. With this assurance of mine, I hope all the amendments suggesting the consideration of this Bill by a Select Committee and other amendments will not be pressed by the hon. Members who have moved them or who might have given notice of them, and that all of them will be withdrawn."

SRI S. RAMALINGAM :—“கனம் சபாநாயகர் அவர்களே, கனம் பிரதம மந்திரி அவர்கள் இந்த மசோதாவை, இதர முனிசிபாலிட்டிகளுக்கும் அடுத்த செஷனில் கண்டிப்பாக விஸ்தரிக்க நடவடிக்கை எடுத்துக்கொள்வான் என்று உறுதியாக சொன்னதின்பேரிலும், நஷ்டஈடு கொடுக்கும் தொகை அதாவது காமபன்சேஷன் தொகையை ஓரளவு குறைக்க யோசனை செய்யலாம் என்று சொன்னதின்பேரிலும் என்னுடைய திருத்தத்தை வாபஸ் வாங்கிக் கொள்ளுகிறேன்.”

MR. SPEAKER :—“ I hope the House gives the hon. Member Sri S. Ramalingam permission to withdraw his amendment.”

The amendment was, by leave of the House, withdrawn.

MR. SPEAKER :—“ I am now going to put the original motion to the vote of the House. The question is—

‘ That the Madras Slum Improvement (Acquisition of Land) Bill, 1954, be taken into consideration at once.’ ”

The motion was put and carried.

Clause 3.

MR. SPEAKER :—“ I am now going to take the Bill clause by clause. The Preamble and clauses 1 and 2 will be taken up at the end. Now, the motion before the House is—

‘ That clause 3 do stand part of the Bill.’

“ Hon. Member Sri T. K. Rama may move his amendment to this clause.”

SRI T. K. RAMA :—“ Mr. Speaker, I move . . . ”

* THE HON. SRI C. RAJAGOPALACHARI :—“ Sir, before the hon. Member proceeds further and speaks on the amendment, may I suggest to him one thing? His amendment would exceedingly complicate the whole thing far too much. ‘ Undeveloped area ’ will be practically any area. The whole scheme under this Bill, I may tell the hon. Member, is worked around the slum area and slum improvement. That being so, it would not be right for us to have a general acquisition procedure, so to say at present which will rather complicate matters far too much. Moreover,

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the considerations that would be brought to bear upon compensation for slum area would be totally different from considerations that would be brought to bear upon undeveloped areas. Therefore, I would ask the hon. Member not to propose his amendment."

* SRI T. K. RAMA :—" Sir, I move the following amendment standing in my name :—

' At the end of sub-clause (1) add the words " or an undeveloped area ".'

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' கனம் சபாநாயகர் அவர்களே, "ஸ்லம் எரியா" என்ற பதங்களுக்கு அடுத்தாப்போல் "அண்டெவலப்ட் எரியா" என்ற வார்த்தைகளைச் சேர்க்க வேண்டும். இவ்வார்த்தை கால கிராமத்தில் ஒரு வியாக்யானத்தை கொடுக்கும். இதுவே சரியான வார்த்தை என்று நினைக்கிறேன். பொருத்தமாகவும் இருக்கும். ஸ்லம் எரியா என்று சொல்லும் பிரதேசங்களிலும் சில வீடுகள் இருக்கும் அதற்குப் பக்கத்தில் பல நூறு குடிசைகளும் இருக்கும். தனிப்பட்டவர்களுக்கு சொந்தமான பல இடங்களில் நல்ல வீடுகள் கட்டப்பட்டிருந்தாலும் அங்கு ரோடு, குடிதண்ணீர், விளக்கு, சாக்கடை முதலிய வசதிகள் கிடையாத பல பிரதேசங்கள் ஒவ்வொரு நகரங்களிலும் இருக்கின்றன. இட சொந்தக் காரர்கள் இவ்வசதிகள் தங்கள் சிலவில் செய்து கொடுக்க வேண்டுமென்று முனிசிபல் கவுன்சில்கள் சட்ட பூர்வமான நடவடிக்கைகள் பல காரணங்களால் எடுக்க முடியவில்லை. உதாரணமாக மதுரையிலுள்ள ஒரு பிரதேசத்தைப்பற்றி கூறுகிறேன்.

"மதுரையில் தைக்கால் என்று ஒரு இடம் இருக்கிறது. இந்த ஸ்தலம் முஸ்லிம்களின் பொது சொத்தாகும். அங்கு 48-ம்வருடம் என்று நினைக்கின்றேன், சுமார் 400 குடிசைகள் இருந்தன. ஒரு குடிசைக்கும், மற்றொரு குடிசைக்கு மிடையே இரண்டு அல்லது இரண்டரை அடி இடை வெளிதான் இருக்கும். தற்செயலாக இக்குடிசைகள் தீப்பற்றி எரிந்து போகவே, நகர சபையார் அந்த இடத்தை ஸ்லம் எரியா என்று டிக்லேர் செய்திருந்தால் அந்த எரிந்த குடிசைகளை போலீஸ் பந்தோபஸ்துடன் தரை மட்டமாக்கப்பட்டது. அங்கு இன்று 400 குடிசைகளுக்கு பதிலாக 60 வீடுகளே இருக்கின்றன. இந்த 60 வீடுக்காரர்களும் இந்த 400 குடிசைகாரர்கள் கொடுத்த வந்த மனை வாடகையை பங்கிட்டுக் கொண்டு கொடுக்கிறார்கள். அதனால் ஒவ்வொரு வீடுக்காரருக்கும் வாடகை மிக அதிகமாயிற்று. வாடகை அதிகமாக கொடுக்கிறோம் என்பதால், அவர்கள் நல்ல வீடுகள் அமைத்துக் கொள்ள வேண்டுமென்று ஆசைப்பட்டனர். ஆகவே அந்த வீடுக்காரர்கள் தங்களையே மூலதனத்தில் ரூபாய் 4 ஆயிரம் முதல் ரூபாய் 10 ஆயிரம் வரை செலவு செய்து வீடுகள் கட்டிக் கொண்டனர். ஆனால் இன்றுவரை அந்த பிரதேசத்தில் ரஸ்தா வசதி இல்லை. குடிதண்ணீர் கிடையாது, சாக்கடை கிடையாது, மற்ற நகரத்தின் வேறு பாகத்தில் கிடைக்கும் எந்த வசதியும் கிடையாது, கக்கூஸ் வசதி கூட கிடையாது. இந்த பிரதேசத்தை ஆர்ஜிதம் செய்து ரோடு, சாக்கடை வசதி செய்து கொடுக்க நகர சபையார் நடவடிக்கை எடுக்க முன் வர முடியவில்லை. குடிசைகள் அப்புறப்படுத்த வேண்டுமென்று நடவடிக்கைகள் எடுக்கும்பொழுது குடிசை போட்டுக் கொண்டிருந்த இடத்தை காலி செய்து விட்டு, அந்த குடிசையிலுள்ள கல்லையும் மண்ணையும் மூங்கிலையும் ஓலையையும் கொண்டு வேறு இடங்களில் குடிசைகள் கட்டிக் கொள்வார்கள். ஆனால் மேலே விவரித்த மாதிரியான வீடுகள் கட்டிக் கொண்டிருப்பவர்களை காலி செய்து விட்டுப் போகச் சொன்னால் என்ன செய்வார்கள். தங்களுக்கு நிலம் ஆர்ஜிதத்தின்மூலம் பின்னால் கிடைக்கும் என்று நம்பி, கடன் வாங்கி பணம் செலவு செய்து வீடு கட்டிக் கொண்டுள்ளவர்களின் கதி என்னாவது? நிலத்தின் சொந்தக்காரர்கள் போ என்று சொன்னால் அவர்கள் எங்கு, எப்படிப் போகமுடியும்? கட்டியுள்ள வீடுகளை இடித்துக்கொண்டு வேறு எங்கேயாவது கட்டிக்கொள்ளத்தான்

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[Sri T. K. Rama]

முடியுமா? இம்மாதிரியான வீடுகள் மதுரையில் இரண்டாயிரத்துக்குமேல் இருக்கின்றன. அவைகளின் மொத்த மதிப்பு சுமார் 4 அல்லது 5 லட்சமாகும். இவர்கள் நல்ல முறையிலே கஷ்டப்பட்டுள்ளனர் ஆகையால் இவர்களுக்கும் முக்கியமாக பாதுகாப்பு அளிக்கப்படவேண்டும். அவர்கள் கட்டிக்கொண்டிருக்கும் வீடுகள் உள்ள நிலங்களை அவர்களுக்கே ஆர்ஜிதத்தின் மூலம் சொந்தமாக்கப்படவேண்டும். இந்த 'ஸ்லம் இம்புரூமென்ட் பில்லில்' அபிவிருத்தியடையாத பிரதேசங்களும் சேர்த்துக்கொள்ள முடியாது என்று சொல்வது ஏனென்று எனக்கு விளங்கவில்லை. அபிவிருத்தியடையாத பிரதேசங்களையும் இந்த பில்லில் சேர்த்துக்கொண்டால்தான் பல இடங்களில் நல்ல வீடுகள் நல்ல முறையில் ஏற்பட செளகரியங்கள் ஏற்படும். இதை அவசியம் செய்ய வேண்டும். 'அன்டெவலப்ட் ஏரியா' என்பது அன்பில் (unbuilt) ஏரியா என்று நினைப்பது சரியல்ல. முதல் சப்-செக்ஷன் ஜனங்களுக்கு குடிதண்ணீர் சுகாதார வசதிகளைப்பற்றி சொல்லுகிறது. இந்த நிலைமையே சீர்திருத்தம் செய்யப்படாதபிரதேசங்களிலும் இருந்துவருகிறது. ஆகையால், 'அன்டெவலப்ட் ஏரியா' என்று சேர்த்துக்கொள்ளுவதினால் இந்த பிரிவின் கருத்திற்குள் இப்பிரதேசத்தையும்கொண்டு வரமுடியுமென்று நினைக்கிறேன். சர்க்கார் ஏற்று ஆவன செய்யுமென்று நம்புகிறேன் பிரதம மந்திரி அவர்கள் மனது வைத்து இந்த திருத்தத்தை ஏற்றுக் கொண்டால் மிகவும் அனுகூலமாக இருக்குமென்று நம்புகிறேன்."

SRI AYYANAR :—" நான் ஸ்ரீ டி. கே. ராமா அவர்கள் சொன்னதை ஆதரிக்கிறேன்."

MR. SPEAKER :—" Motion moved—

'At the end of sub-clause (1), add the words "or an undeveloped area".'

THE HON. SRI C. RAJAGOPALACHARI :—" Sir, I want the hon. Member, Sri Rama, to remember these things in connection with the amendment that he had proposed. He should remember that it will be extended to other municipalities later on by an amending Bill. The Bill before the House does not apply to the conditions he refers to. Secondly, it is not anywhere in this Bill or elsewhere defined that a slum should be a slum having thatched huts or anything of that kind. Clause 2 (e) defines 'slum area' as an area so declared under clause 3 (1). Clause 3 (1) says—

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'Where the State Government are satisfied that any area is or may be a source of danger to the public health, safety or convenience of its neighbourhood by reason of the area being low-lying, insanitary, squalid or otherwise, they may . . . declare such area to be a slum area.'

Therefore, if as Sri Rama pleads the huts he refers to are really as bad as the slum area huts contemplated in the Bill, then there is enough provision in the Bill itself to meet the case. But if, on the contrary, he wants to have a general Housing Plan Bill which would cover the middle-class gentlemen's houses, I think it is not right to introduce it sideways into this Bill. I would, on the whole advise him not to press his amendment but to rely on the definition contained in the Bill. We may make such use of it as may be necessary."

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SRI T. K. RAMA :—“கனம் பிரதம மந்திரி அவர்கள் இப்பொழுது அறிவித்ததிலிருந்து எந்த ஏரியாவையும் Slum area என்று declare செய்யலாம் என்று சொல்லுவதால் நான் என்னுடைய திருத்தத்தை வாபஸ் வாங்கிக் கொள்ளுகிறேன்.”

The amendment was, by leave of the House, withdrawn.

* **SRI N. K. PALANISAMI** :—“Sir, I move—

‘Add the following new sub-clause after sub-clause (3) :—

“If in the process of clearing or improving a slum any hut or building is removed, the occupant thereof shall be provided with a suitable alternative accommodation and he shall not be evicted until such an accommodation is found for him in the same locality.”

“கனம் சபாநாயகர் அவர்களே, இந்த சர்க்காருக்கு 1894, 1920, 1950-ம் வருஷத்திய சட்டங்களில் சட்ட பூர்வமாக ஆர்ஜிதம் செய்வதற்கு அதிகாரம் இருந்த போதிலும் இன்று இந்த சட்டத்தைக்கொண்டு வந்திருக்கிறார்கள். இந்த இரண்டு வருஷங்களாக காக்கஸ் சேரியிலும் மற்ற சேரிகளிலும் என்ன நடந்து வந்திருக்கிறது என்பது எல்லோருக்கும் தெரியும். அங்கு இருக்கக்கூடிய பல வீடுகள் தரைமட்டமாகிவிட்டன. அந்த இடங்களிலெல்லாம் பெரிய பங்களாக்களைக் கட்டுவதற்காக இடம் கொடுத்திருக்கிறார்கள். இது எல்லோருக்கும் தெரியும். அதே சமயத்தில் சர்க்கார் ஸ்லம் இம்ப்ரூவ்மெண்ட் என்று சொல்லிக் கொண்டு அங்கே இருக்கக்கூடிய சேரியில் வாழக்கூடிய மக்களுக்கு இடம் இல்லை என்பதை ஒத்துக்கொள்ளமுடியாது. அதற்காக ஒரு புரோவிஷன் சேர்த்திருக்கவேண்டும். இப்பொழுது அதற்கு யார் நடவடிக்கை கொடுக்கிறார்கள். நடவடிக்கை கொடுக்கக்கூடியவர்கள்தான் அங்கே இருக்கமுடியும். கொடுக்காதவர்கள் அங்கே இருக்கமுடியாது. சர்க்கார் வேண்டும் என்றால் எந்த இடத்தையும் ஸ்லம் ஏரியா என்று சொல்ல முடியும். அந்த நிலையில் அந்த அளவிற்கு திட்டவட்டமாக ஒன்றும் இதில் கிடையாது. மேலும் 25 ஆயிரம் ரூபாய்க்கு மேற்பட்டவர்கள்தான் கோர்ட்டுக்குப் போவதற்கு உரிமை இருக்கிறது. அதற்குக் கீழே உள்ள சின்ன சின்னவர்கள் வீடுகள் வைத்துக்கொண்டிருக்கிறார்களே அவர்களுக்கு எந்த விதமான நியாயமும் வழங்குவது கிடையாது. இந்த மாதிரி நிலைமையில் அவர்களுக்கு வேறு இடத்தில் சேரிகளுக்கு ரோடு போடுவதென்றாலும் லைட் போட்டுக்கொடுப்பதாலும் அவர்கள் சீர்திருத்தம் அடையமுடியாது. இவைகளையெல்லாம் கொடுத்துவிட்டால் அவர்களை அந்த இடத்தைவிட்டு துரத்தக்கூடியதாக இருக்கிறது. ஏனென்றால் அவர்கள் கொடுக்க வேண்டும் என்ற தொகை அவர்களால் கொடுக்க முடியவில்லை. இந்த மாதிரியான திட்டம் கொண்டுவரப்படுகிறது அவர்களை துரத்துவதற்காகவோ என்று சந்தேகப்படக்கூடியதாக இருக்கிறது. ஆகவே எந்த விதமான காரணத்தாலும் அவர்கள் இருக்கும் இடத்திலிருந்து வெளியேற்றுவது இல்லை. கொடுக்கக் கூடிய வாடகை இருக்கிறதே அது இப்பொழுது கொடுத்து வருவதற்கு மேல் வசூல் செய்யக்கூடாது என்று ஒரு புரோவிஷன் அதில் சேர்க்கப்பட்டிருந்தால் நன்றாக இருந்து இருக்கும். அந்தப்படி ஒரு விதியைச் சேர்க்க வேண்டும் என்று கேட்டுக்கொள்ளுகிறேன்.”

* **SRI S. RAMALINGAM** :—“நான் முதலில் சொன்ன மாதிரி சேரிகளை அபிவிருத்தி செய்கிறோம் அல்லது காலி செய்கிறோம் என்ற பெயரால் அவர்களை குடிசைகளைவிட்டு அப்புரப்படுத்தும்போது அவர்களுக்கு சரியான இடம் கொடுக்கப்பட்டு வசதி செய்து கொடுத்துவிட்டு அந்த இடத்தில் அபிவிருத்தி செய்தால் போதும். இந்தப்படி இந்த திருத்தம் கொடுக்கப்பட்டிருக்கிறது. இதை சர்க்கார் ஒத்துக்கொள்ள வேண்டும் என்று கேட்டுக் கொள்ளுகிறேன். அதை ஆதரிக்கிறேன்.”

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MR. SPEAKER :—“ Motion moved—

‘ Add the following new sub-clause after sub-clause (3) :—

“ If in the process of clearing or improving a slum, any hut or building is removed, the occupant thereof shall be provided with a suitable alternative accommodation and he shall not be evicted until such an accommodation is found for him in the same locality ”.’ ”

* SRI K. VINAYAKAM :—“ Sir, now that the proposal to refer the Bill to a Select Committee has been withdrawn, we will go into the merits of the Bill. The amendment moved by my friend, Mr. Palaniswami, is a very pertinent one because he has quoted one instance, and quoted rightly, that has occurred in the City of Madras itself. I am now referring to the Cox cheri incident. When that cheri, which consisted of many poor families, was cleared, the dwellers were weaned away from the slum by a promise that the colony would be reorganized on better lines, and that houses would be constructed and let out to them on a monthly rental of two rupees per house. These were the ‘ carrots ’ held before these credulous people who were dwelling there. They were tempted to vacate the slum because a very good future was assured to them.”

THE HON. SRI C. RAJAGOPALACHARI :—“ When was it done? ”

* SRI K. VINAYAKAM :—“ I think it was in 1947, when the City Improvement Trust launched this scheme. I am citing this instance to show that these are the troubles involved in this kind of hasty legislation. What happened later? The men who vacated the slum were almost stranded for some time and the interval between the period of their vacating the slum and the period when they were shown an alternative site in Kodambakkam was well over four years. The site is next to the Varadarajapet colony. (The Hon. C. Rajagopalachari : ‘ Bigger than Cox cheri. ’) May be a tract of about five acres of land was acquired by the City Improvement Trust after a lapse of four years and then they laid out some roads worth the name. They filled the pits with rubbish collected in the City of Madras. They installed some street lamps and constructed a dry latrine. Then the people who were driven from the Cox cheri slum were given the option to go and settle there. Sir, it is not enough if we just show them an alternative site. We must consider whether the people will be tempted to go and live on the alternative site provided. After all, as the Hon. the Chief Minister, has explained, these are people who make a living out of manual labour. If they are shifted to places like Kodambakkam, what is the amount of practical difficulty involved to them? That is the question that we must consider. A worker cannot walk all the distance from Kodambakkam to his place of work in the City—Godown street or Moore Market or

[Sri K. Vinayakam] [5th January 1954]

whatever it is. He cannot travel by train because he will have to spend a few annas which he cannot afford. The result is not more than ten huts are there in Kodambakkam even though there are facilities like roads, electric lights, etc., provided to them. We must consider the practical difficulties that the slum dwellers are faced with.

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“ The Hon. Chief Minister was attacking us for trying to delay the Bill. In this connection, let him realize that this kind of hasty legislation cannot find an easy passage through the House. Before clearing slums we must first of all decide on alternative steps to meet the demands of the slum-dwellers immediately. I already referred to the untold sufferings to which the slum-dwellers were put to when the City Improvement Trust launched upon the project (in 1947) of slum clearance and rehabilitating the slum dwellers in some other decent locality. But ultimately the locality decided upon by the Trust did not prove to be decent. These are all problems that have to be dealt with whenever any question involving slum-improvement or slum-clearance is taken into account. Acquisition proceedings may take some time. We have had the experience in land acquisition proceedings. That is why I say let the Bill be referred to a Select Committee. Let the Select Committee go into the pros and cons of the problem and suggest any improvements they like. Let us not come to hasty conclusions ourselves. Any problem connected with slum-improvement cannot be rushed through so quickly by passing a Bill as the present one. Let the practical difficulties involved by bringing in a measure of this sort be gone through by the Select Committee.

“ We have had the example of Cox cheri. The City Improvement Trust launched upon a big scheme of building tenements for slum-dwellers in Cox cheri. They constructed the tenements. But did they realize the fact that the poor slum-dwellers could not pay the rent which was demanded? No, they had their own notions. What is the result? The slum-dwellers, not only were they cleared off from their original places but were stranded. A day or two before, I read from the papers that the Trust had advertised in big columns that these tenements in Cox cheri would be let out on a rent they have fixed. They had also stated in the advertisement about the neatness of the locality and about the modern conveniences provided therein. But I ask did they ever pay heed to the needs of the Law College students who were all the time clamouring for a hostel. They put in some sort of legal difficulty. The Law College students had to suffer. They could not be provided with a good hostel. Of course that is a different question. There is no use asking one to go to Tambaram or Guindy, far away from the city. That will not satisfy the people. What is the prime need of the hour? The minimum conditions of housing and living should be provided for the poor slum-dwellers. A provision to that effect is not found in the present Bill. Therefore I request that this Bill may be referred to a Select Committee.”

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* THE HON. SRI C. RAJAGOPALACHARI :—“ Sir, I am rising again because this is a legal matter. - Any provision that we put into a Bill should be a justiciable provision. A provision of this kind will be practically impossible for the Judge to decide what the Legislature has asked him to do. The provision now sought to be introduced is no doubt good. I admit it. But it should be left as a policy to be executed by Government and not made into a legislative provision. As a matter of fact the hon. Member who spoke last knows very well that it is because the Government, I am referring to the present Government, did not like the idea of clearing these slum-dwellers from their place, disturbing them from their place of habitation irrespective of the requirements of their occupation, this Bill has been sponsored. Government have taken into account the difficulties mentioned by hon. Members and the present Bill is the result of their desire that people should not be evicted and driven from one place to other. The object of this Bill is to fulfil the very purpose which the hon. Member wants, namely, to allow these people to remain where they are and at the same time try to improve conditions without sending them out. It may be taken for granted that we want these people not to shift from one place to some other place outside, which is not reasonable from their standpoint. On the other hand, we consider it desirable that they should be retained in the City itself close to the place where they work and where they could live with contentment and comfort. It is because we think it desirable to give these people some sort of proprietorship in the place where they live in and not allow them to be continuously fleeced by bad characters who profit by intimidating and exploiting them, we have brought forward this Bill. These are the causes which have led to the introduction of the present Bill. I am asking Mr. Palanisami not to press his amendment for what he suggests is the accepted policy of the Government and what he has in mind would be properly carried out by the policy of Government rather than by making a judicial provision which simply says that unless and until such and such accommodation is given for the slum-dweller, he shall not be evicted. Where and what kind of accommodation should be given and by whom it should be given are all difficult things to say in a Court of Law. So I would request the hon. Member Mr. Palanisami to leave it to the Government to execute their policy and not to introduce a clause as the one he had suggested which in fact is not right. I would beg of him to withdraw his amendment. At the same time, I assure him that the object of keeping this law is to carry out the very principle embodied in his amendment.”

SRI N. K. PALANISAMI :—“ கனம் பிரதம மந்திரி அவர். கள் சொன்ன வாக்குறுதியின்பேரில் நான் என்னுடைய திருத்தத்தை வாபஸ் வாங்கிக்கொள்ளுகிறேன்.”

The amendment of Sri Palanisami was, by leave of the House, withdrawn.

Clause 3 was put and carried.

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Clause 4.

SRI P. RAMAMURTHI :—" I would request clause 6 dealing with compensation be taken up first and then clause 4."

MR. SPEAKER :—" I have no objection if the Government agree to it."

THE HON. SRI C. RAJAGOPALACHARI :—" I have no objection, Sir."

MR. SPEAKER :—" So clause 6 will be taken up for consideration."

Clause 6.

* THE HON. SRI C. RAJAGOPALACHARI :—" Due to the intervention of many hon. Members in the House on the ground that the compensation amount now fixed, viz., 20 times the average annual income from the land during five consecutive years, is too large and unreasonable a limit for the City of Madras, though our appreciation of the actual income derived by the landowners may differ, on behalf of the Government I would suggest that instead of the figure '20', '12' may be substituted. I accordingly move the amendment, viz.—

'That in line 3 of clause 6 for the words "twenty" the words "twelve" may be substituted.'"

MR. SPEAKER :—" Motion moved—

'That in line 3 of clause 6 for the words "twenty" the words "twelve" may be substituted.'"

The motion was put and carried.

The Clause as amended was then put and carried.

Clause 4.

MR. SPEAKER :—" I am ruling the following amendments given notice of, viz., 5 (a), 5 (b) and 5 (c) by Messrs. T. K. Rama, M. S. Muniswamy Pillai, A. Ramaswami Tevar, A. S. Subbaraj and S. Ramasami Naidu as out of order because those amendments are outside the scope of the Bill :—

5. (a) In sub-clause (1) after the words "City of Madras" in the seventh line, add the words "or the Municipal Councils of Madurai, Tiruchiarppalli and Coimbatore".

(b) In the last line of sub-clause (1), after the words "Board of Trustees" add the words "or the Municipal Councils of Madurai, Tiruchirappalli and Coimbatore".

(c) In the second line of sub-clause (2) after the words "Board of Trustees" add the words "or the Municipal Councils of Madurai, Tiruchirappalli and Coimbatore".

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THE HON. SRI C. RAJAGOPALACHARI :—“ In view of what I had stated I think these amendments are not necessary.”

MR. SPEAKER :—“ Not only that, I have ruled them out of order because they are beyond the scope of the Bill.”

* SRI P. RAMAMURTHI :—“ 3-வது சப்-க்ளாஸ்க்குப் பிறகு

‘ but in no case shall the proportion of the cost recoverable from the persons referred to above exceed 50 per cent of the cost of acquisition.’

என்ற வார்த்தைகளைச் சேர்க்கவேண்டுமென்று மூவ் செய்கிறேன்.

“ வாங்கின தொகையில் 50 பர்செண்டிக்கு மேல் சர்க்கார் வசூல் செய்வது 12-50
சரியல்ல என்று சட்ட பூர்வமாக போடுவதைக் காட்டிலும் நெளிவு சுருவு p.m.
இருக்கக்கூடிய முறையில் இருந்தால் நல்லது என்று சொன்னார். அந்த
வாதத்தைக் கேட்ட பிறகும் கூட இது சரி இல்லை என்று சொல்லுகிறேன்.
மந்திரிகள் ஒவ்வொரு குடிசைக்கும் போய் நஷ்ட ஈட்டுத் தொகையை
நிர்ணயிக்க முடியாது. இந்த அளவிற்கு இன்று குடிசைக்காரர்கள் கொடுக்க
வேண்டும் என்று நிர்ணயிக்கும் பொறுப்பு சட்டத்தில் இருந்தாலும்கூட
நடைமுறையில் அதை அதிகாரிகள் எந்த விதத்தில் நிர்ணயிக்கப் போகிறார்
களோ? அவர்கள் இருந்த இடத்திலேயே இருந்துகொண்டு நிர்ணயிப்பார்
கள். அப்படி அவர்கள் நிர்ணயிக்கும்போது பல் விதமான தொந்தரவுகள்
ஏற்படும். அதற்குப் பிறகு ஒவ்வொரு குடிசையிலிருந்து சர்க்காருக்கு
தூது கோஷ்டி வரும். அந்த வேலையை கவனிக்கத் தான் சர்க்காருக்கு
இடம் இருக்கும். ஆகவே 50 சத விதத்திற்கு மேல் அதிகம் போகாமல்
வசூல் செய்வேண்டும் என்று சட்டத்தில் நிறைவேற்றப்படவேண்டும்.
அதுதான் நியாயம் என்று நினைக்கிறேன். இதை சர்க்காரும் ஒப்புக்
கொள்ளுவார்கள் என்று நினைக்கிறேன்.”

SRI A. RATNAM :—“ Sir, I second the amendment.”

MR. SPEAKER :—“ Motion moved—

‘ After sub-clause 3, add the following at the end :—

“ but in no case shall the proportion of the cost recoverable from the persons referred to above exceed 50 per cent of the cost of acquisition.” ”

* THE HON. C. RAJAGOPALACHARI :—“ Sir, I beg again that the hon. Member may be pleased not to press this amendment. Apart from what I said when I spoke on the general debate, I wish to add this. It is open to Government and likely that they will lay down a policy from time to time regarding the principle and with due regard to the particular area with which it is concerned. If we lay it down here in the Act itself as 50 per cent what will happen is just what the hon. Member is afraid of. Officers would act on that basis and it would be unreasonable for Government to fix less than 50 per cent, say 30 per cent or even one-eighth. Therefore, I would request him to leave this without specifying in the Act. It is not possible for the Government to extort money from people who are living in slum areas and people squatting on slums are not likely to be very rich clients. So, it is better to drop the amendment.”

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SRI P. RAMAMURTHI :—“நாம் இல்லாமல் போனாலும் பின்னால் வருகிறவர்கள் கட்டாயமாக 50 சத விசிதம் வாங்குவார்கள். அப்ப + யில்லாவிட்டால் 100 சத விசிதம்கூட வாங்குவார்கள். அதனால் இதற்கு வரையறுக்கப்பட வேண்டும் என்ற காரணத்திற்காகத்தான் இந்த திருத்தத்தை நான் ப்ரஸ் பண்ணுகிறேன்.”

The amendment was put and lost.

MR. SPEAKER :—“The question is—

‘That clause 4 of the Bill do stand part of the Bill.’ ”

Clause 13 was put and carried.

MR. SPEAKER :—“The question is—

‘That clause 5 of the Bill do stand part of the Bill.’ ”

The motion was put and carried.

MR. SPEAKER :—“The question is—

‘That clauses 7, 8, 9 and 10 do stand part of the Bill.’ ”

The motion was put and carried.

MR. SPEAKER :—“The question is—

‘That clauses 11 and 12 do stand part of the Bill.’ ”

The motion was put and carried.

Clause 13.

RAJA MUTHIAH CHETTIAR OF CHETTINAD :—“Mr. Speaker, Sir, I would like to raise a very important point of privilege of the public which is being trampled down day in and day out by the legislature—not by the legislature primarily, but by the Ministry, whoever the Ministers that hold office. This practice of completely ignoring the judiciary is not fair. I would ask the Government straightway to announce, ‘Let us have no judiciary at all in the State and the country.’ It would be much cleaner politics to say that we shall not have any judiciary and we shall carry on justice by executive orders, we shall dispense with justice and carry on with majority rule. The effect of clauses 13, 14 and 15 as also the earlier clauses comes to that only, whereby legal proceedings under this Act is limited. Only appeal lies with the High Court on points of law. Clauses 13 and 15 say that no further proceedings are possible. There are distinguished lawyers here and they will realize what a grave injustice it would be to the public. Sir, why should Government fight shy of proper proceedings. Sir, now that the Constitution is proposed to be amended, let the Madras Government suggest to the Government of India that the Constitution be amended providing for the abolition of the High Courts. If there are no High Courts, the trouble about the location of the Andhra High Court will also not arise. The Hon. Chief Minister is himself a distinguished jurist and was an eminent lawyer long before he entered politics. Today we are very proud of him. If a World Court is established, I

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am sure he would be invited to occupy the seat of the Chief Justice of the World Court. But the provisions of this Bill do no credit to him—I am not attacking him sitting behind him. Just because he wants to show to the slum people that something wonderful is done, this is brought forward. I want to stress that later on the provisions of this Bill will put the slum people into greater difficulties. I have already expressed to him that there are many things which are not of a beneficial nature. Government themselves owe an explanation to the House and the State. There are many slums in Government lands. I want an assurance from the Hon. Chief Minister and the Government that their slums would be improved first. When they have not improved these slums, what is the good of talking about other slums? (The Hon. Chief Minister : ‘ I have given an assurance during the general debate.’)

“ I do not know. It is because the Assembly meets at 9 o'clock and I have not been able to attend. Government should take up for improvement slums in Government lands first, then in Corporation lands, then City Improvement Trust lands and fourth in order only other slums. Government should provide the necessary money for these things. Money is the most important thing needed.

“ As for compensation, I feel that by the time the compensation is paid, there might be even legal objection to the nature of acquisition itself. If we go to the Court on that point, as lawyer Members here know, the judge may say, ‘ it is not a point of law, but it is a point of fact ’ and so on.

“ It has been provided in the Act that Government may make rules as they like. Of course, it is the Governor who will make rules. But the Governor approves whatever the Ministry recommends. It will be a grave injustice to the public, because the rules framed by the Government are not placed before the legislature. Some 30 or 20 years ago, what was happening was whenever rules were framed under any section of an Act, they were placed on the table of the House, a resolution would be moved that the rules be approved and they will be approved by the legislature. So, I would request the Government to place the rules on the table of the House and move a resolution for the approval of those rules by the Legislature. I request an assurance from Government that they will no longer interfere with the dignity of the Courts. It is a very important matter. It is designed to restrict the right of the public. Here there is no question of the poor man and the rich man. It is a question of property and acquisition of property. Of course, improving slums is a laudable object. I congratulate the Hon. Chief Minister and the Government on this Bill. But they should do things in a realistic way. Let them provide money for the Corporation for carrying on the necessary improvements, etc. I am glad that the Hon. Chief Minister has given an assurance.

“ Incidentally, I may say that Government should issue general orders to the Legal Department not to provide for such

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clauses in future in any Act. It would be only doing real justice to the public and it would redound to the credit of our Chief Minister, the great jurist that he is."

1 P.m. * THE HON. SRI C. RAJAGOPALACHARI :—" Sir, I do not accept the compliments paid to me. But I must answer his point. It is my unfortunate lot to answer points raised by Members on these Benches. But he is perfectly within his right in raising the point. The reason for introducing clause 13 which bars the jurisdiction of civil courts is not want of confidence in the judiciary. I have absolutely no doubt in my mind that the judiciary should be supported, that the prestige of the judiciary and people's confidence in it should be maintained, and I have said this more than once. I believe that the judiciary itself has no doubts in regard to that point. But confidence in the judiciary is different from belief in litigation. There are some matters in which we should not encourage litigation. The judiciary cannot help receiving litigation once litigation is permitted. In this case we are interested in removing the scandal of squatting on vacant land which is going apace in the City of Madras along with the growth of population and consequent unemployment and the invasion of the entire population of the State into the City of Madras to get employment. Also in consequence of the laziness of people who depend upon other people to do manual work, we have allowed the slums to develop apace. We are in a hurry to improve the slums and make the City of Madras presentable to our own conscience and to the outside world. The landlord has been allowing all these days huts to be built and occupied by people and the development of slums."

RAJA MUTHIAH CHETTIAR OF CHETTINAD :—" In spite of himself."

* THE HON. SRI C. RAJAGOPALACHARI :—" In some cases; the landowner has entered into an agreement with the slum-dwellers. ' In spite of himself ' may be true so far as the Government are concerned. That was what I said when the hon. Member was absent. The position of a squatter on Government land is different from the position of a squatter on private land. In the case of a private owner, there is the considerable advantage of getting a revenue from these unfortunate people who, because their holding is insecure, are willing to pay anything that is demanded of them from month to month. Should we allow litigation by the high power landlord—I say this because money is power—the value of whose land in the city has gone up just because of the growth of population? The value of the land has increased not on account of any exertion on the part of the landlord but simply on account of the activity of the people in giving birth to children and the unemployment that is prevailing in the country side. Why should we allow the land value to go up? That is why we want to acquire the slum areas as soon as possible. We have provided in clause 13 that we should not be stayed in this good activity of ours by the filing of petitions in courts which may make the whole matter get stuck up

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for years and years. We have provided a similar clause in other Bills barring particular kinds of litigation. Here, litigation in respect of the acquisition itself is not to be allowed. That is why clause 13 is inserted. I hope the House will not accept the suggestion that the clause should be given up."

Clause 13 was put and carried.

Clause 14 was put and carried.

Clause 15.

RAJA MUTHIAH CHETTIAR OF CHETTINAD:—" Mr. Speaker, Sir, clause 15 is another instance of interference by Government with the existing law. They have no respect for the existing laws. If they have no respect for the Land Acquisition Act, let them repeal it. If the Act is good enough for other purposes, why should the proceedings taken under that Act be declared void under this Act? This takes my breath away. I cannot understand how the lawyer-Members of the Cabinet came to think of an unlawful provision like this. The proceedings already started under the Land Acquisition Act are wiped out by this provision. I have no doubt that the validity of this will be contested. Some lawyer-Members of this House are nodding their head. Any person can request the Governor of Madras and the President of India not to give their assent to this Bill. But I do not think that anybody will be so serious in the City of Madras. If anybody were to write a petition to the Governor of Madras and the President of India, I am almost certain that this Bill will be held up and the object of the Hon. Chief Minister to expedite the passage of this Bill will not be fulfilled. Let him think over this at this stage. No doubt, the clause will be passed with the majority that the Government have got. Let this House which adjourns at 1-30 p.m. be re-assembled at 2-30 p.m. and the third reading stage of this Bill be taken up in the after-lunch session. In the meantime, let the Hon. Chief Minister consult the Law Secretary. After all, there may not be many cases of acquisition proceedings under the Land Acquisition Act pending in the City of Madras. If this provision is to form part of the statute, all I can say is that it is awful."

* SRI K. VINAYAKAM:—" Sir, I have made it clear that it is not my intention to delay the Bill. We feel that there are some clauses introduced in this Bill only to create a lot of confusion in working the Act. The clause barring the jurisdiction of civil courts, over which there was some discussion, is dictatorial in character. It goes against the fundamental rights of human beings. The clause under discussion is also similar in character. I want information on these points. What are the cases which the Government have in mind about which they harbour such apprehensions or suspicions? What is the number of pending cases and if there are no pending cases, why should this clause be introduced? "

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THE HON. SRI C. SUBRAMANIAM :—“ If no cases are pending, the hon. Member need have no worry.”

* SRI K. VINAYAKAM :—“ Our fear is that this clause is introduced to safeguard the position of Government against any decision that may be given by Courts of Law or by the Collector of Madras. To dispel that fear, why should not the Government be more explicit and give us information about the number of cases pending in the courts? As the Member who preceded me remarked, the Government with the majority that they have may carry the day. But do they not owe a rudimentary obligation to the Opposition to give the latest position about the number of pending cases? I request clarification on these points.”

1-10
p.m.

* THE HON. SRI C. RAJAGOPALACHARI :—“ Sir, when this Bill was drafted, every necessary examination was made as to the legality and propriety of the measure. The hon. Member who preceded the last speaker referred to the need or the desirability of our consulting legal opinion before proceeding with the Bill, I submit that all that consultation has taken place and this is a good and proper form in which the Bill has emerged from the Legal Department of the Government. There is nothing improper or illegal in the matter. Clause 15 was provided because we did not know how long it would take for this Bill to be passed into law, as it would have to be published and introduced in the Assembly and possibly there could be committees examining it. We could not anticipate that hon. Members would appreciate our arguments for hurrying through it so quickly, and I am grateful for that. But at the time when the Bill was drafted, it was necessary to provide this clause 15 that if anything should take place in the interval, it should not serve to stop the acquisition proceedings. Therefore, clause 15 is here. There may be some case or other but I am not able to say offhand whether there is any stray case pending before the Collector for acquisition or not. There are bound to be cases. If there is a case like that, it is not an oppressive condition but it is to provide that the same procedure should apply to it also. Otherwise, totally different rules would apply to such a case. Therefore it is that clause 15 provides that the provisions of this legislation shall apply to such cases also. I submit that there is nothing wrong in it. On the contrary, no advantage should be gained by a particular landowner when we introduce a law like this. There are certain areas where cases are pending and certain other areas where this law would be applicable. There should be no discrimination between the two. Clause 15 provides that the provisions that apply to cases of new acquisition will apply to pending acquisition cases also. Therefore, there is nothing very extraordinary in this and nothing to make the President or the Governor stop the whole business as a scandal, as was suggested by my hon. Friend Raja Muthiah Chettiyar of Chettinad. I submit that this is a very proper provision. If time were given to me, I could satisfy hon. Members that there are precedents for this and Acts like this in other countries passed

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for this purpose, and that in all these places so far as the acquisition of land is concerned, there is no question of litigation being permitted. It is only in our country that everyone hungers to go to the High Court on every matter."

Clause 15 was put and carried.

Clause 16.

MR. SPEAKER :—" The motion is—

' That clause 16 do stand part of the Bill.' "

SRI S. RAMALINGAM :—" Sir, this clause read as follows :—

' If any difficulty arises in giving effect to the provisions of this Act, the State Government may, as occasion may require, by order, do anything which appears to them necessary for the purpose of removing the difficulty.'

I would like, Sir, that the words ' and shall place such orders on the table of the House ' be added at the end."

THE HON. SRI C. RAJAGOPALACHARI :—" That means the order may be delayed."

SRI S. RAMALINGAM :—" I do not want to delay it. But such orders can be placed on the table of the House so that amendments may be suggested within fifteen days after they have been so placed."

THE HON. SRI C. RAJAGOPALACHARI :—" I give that assurance."

SRI S. RAMALINGAM :—" That assurance can be expressed in the Bill itself.

Power to remove difficulties.

' Sir, if any difficulty arises in giving effect to the provisions of this Act, the State Government may, as occasion may require, by order, do any thing which appears to them necessary for the purpose of removing the difficulty.'

" இந்தக் கருத்தில் இந்தக் க்ளாஸ் இருக்கிறது. சர்க்காருக்கு எல்லா அதிகாரங்களையும் கொடுக்கக் கூடிய நிலைமையில் இந்தக் க்ளாஸ் இருக்கிறது. இவ்வளவு அதிகாரத்தை சர்க்காருக்குக் கொடுப்பது சரியல்ல. கொடுக்கப்பட்ட திருத்தங்களை சர்க்கார் ஒத்துக்கொண்டால் நன்றாக இருக்கும்அதாவது

' and shall place such orders on the table of the House for fifteen days.'

" இந்த மாதிரியே க்ளாஸை திருத்தி விடலாம். ஏற்கனவே இருக்கும் க்ளாஸ்'க்கு இந்த திருத்தம் செய்வதில் கஷ்டம் இல்லை. அதிகாரத்தை சர்க்காரிடத்தில் கொடுத்தால் பல விவகாரங்கள் வரும். காம்பென்சேஷன் கொடுப்பதைப்பற்றி எந்த நிர்ணயிப்பும் கிடையாது. ஆகையால் 50 சத விதிகளும் என்றும் பின்னால் 75 சத விதிகளும் கொடுக்கவேண்டும் என்று உத்தரவு போட்டால் அந்த உத்தரவின்மேல் எந்த விதமான நடவடிக்கைகளும் எடுத்துக்கொள்ளமுடியாது. ஆகையால் எந்த உத்தரவு போட்டாலும் அதை சட்டசபையின் மேஜையின்மேல் வைக்கவேண்டும். அப்படி

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வைத்து 15 நாள் அவகாசம் கொடுத்தால் அங்கத்தினர்கள் அதன்மேல் திருத்தங்கள் கொடுக்க சௌகரியமாக இருக்கும். அதற்கு சந்தர்ப்பம் கொடுக்கமாட்டோம் என்று சொன்னால் என்ன பிரயோசனம் இருக்கிறது.”

* HON. SRI C. RAJAGOPALACHARI :—“ Sir, here also I beg my assurance to be accepted. It is only when difficulties arise that the Government will have to pass orders. Difficulties will certainly arise in these cases and the sooner they are removed the better. The hon. Member may take the assurance from me that any such orders will, as a matter of course, be placed on the table of the House, and even if we do not do so, the newspapers will be publishing them and everybody will understand them.”

Clause 16 was then put and carried.

THE SCHEDULE.

MR. SPEAKER :—“ The hon. Member Sri T. K. Rama has given notice of an amendment. It is out of order because it seeks to enlarge the scope of the Bill. It reads like this—

‘I paragraph 2 of the Schedule, after the word “ corporation ” in the fourth line add the following words :—

“ or of the Municipal Councils of Madurai, Tiruchirappalli and Coimbatore. ” ’

* SRI T. K. RAMA :—“ மிஸ்டர் ஸ்பீகர், ஸார், என்னுடைய திருத்தத்தில் . . . ”

‘ It extends to the whole of the City of Madras ’.”

MR. SPEAKER :—“ It extends to the whole of the City of Madras ” என்று இந்த மசோதாவின் ‘ short title ’ இல் சொல்லப்பட்டிருக்கும்போது, மதுரை, திருச்சி போன்ற நகரங்களுக்கெல்லாம் இது வராதது. This clearly out of order. . . . ”

SRI T. K. RAMA :—“ நான் சொல்வதைச் சிறிது தயவு செய்து கேளுங்கள்.”

MR. SPEAKER :—“ When the Chair is on its legs, the hon. Member should resume his seat. நீங்கள் தயவு செய்து உட்காருங்கள். Scope of the Bill ஐயே நீங்கள் மாற்றவேண்டுமென்று சொல்லுகிறீர்கள். ‘ Title ’ ஐயும் ஐயும் Preamble ’ நீங்கள் பார்க்கவேண்டும். . . . In the long title, it is stated that this is a Bill to provide for the acquisition of lands in slum areas in the City of Madras. In the Preamble, it is stated, ‘ Whereas there are a number of slum areas in the City of Madras which are likely to become a source of danger to the public health and sanitation of the City; . . . ’ Therefore, the amendment of the hon. Member is out of order.”

* SRI T. K. RAMA :—“ ‘ Preamble ’ ஐ மாற்றவேண்டும்.”

MR. SPEAKER :—“ ‘ Preamble ’ ஐ மாற்றமுடியாது.”

* SRI T. K. RAMA :—“ ‘ Preamble ’ ஐ மாற்றவேண்டுமென்று திருத்தம் கொடுத்திருந்தேன். ‘ Preamble ’ ம், முதல் clause இலே இரண்டாவது sub-section ஐயும் சேர்த்து யோசித்தால் என்னுடைய திருத்தமானது out of order ஆக இருக்கமுடியாது.”

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MR. SPEAKER :—“ உடம்பு எல்லாம் வைத்தாய்விட்டது. தலை ஒன்றுக்குத்தான் இப்பொழுது தொப்பி வைக்கவேண்டியிருக்கிறது. ஆகையால், அதற்குத் தகுந்த தொப்பியாக நாம் பார்த்து வைக்க வேண்டும்.

“ தலைக்கு • தகுந்தபடிதான் தொப்பி இருக்க வேண்டுமென்பதையொழிய தொப்பிக்குத் தகுந்த தலை இருக்க முடியாது; நீங்கள் சொல்வது அப்படித்தான் இருக்கிறது.”

SRI T. K. RAMA :—“ ‘ Preamble ’ இன்னும் முடியவில்லை. அது இன்னும் சபை முன்னாலே இருக்கிறது.”

MR. SPEAKER :—“ I rule this amendment out of order.”

The Schedule was put and carried.

MR. SPEAKER :—“ All the following amendments of hon. Members Sri T. Rama, M. S. Munisami Pillai, A. Ramasami Tevar, A. S. Subba Raj and S. Ramaswami Naidu in respect of clauses 2, 1 and the Preamble are out of order, because they seek to enlarge the scope of the Bill. For instance, one of his amendments reads—

‘ After the words “ slum area ” in sub-clause (1) of clause 3, add the words “ or an undeveloped area ”.’

Already the hon. Member has withdrawn that amendment. If the House had accepted that amendment, I can allow the present amendment as a consequential one. As he has withdrawn his previous amendment, these amendments are out of order. So, these amendments are also out of order—

‘ In the Preamble (a) after the words “ slum area ” add “ and undeveloped areas.”

(b) after the words “ City of Madras ” add “ and in the municipal towns of Madurai, Tiruchirappalli and Coimbatore.”

(c) in the third line, for the word “ City ” substitute the words “ respective areas ”.’

Clause 1.

‘ In sub-clause (2) after the words “ City of Madras ” add the words “ and to the municipal towns of Madurai, Tiruchirappalli and Coimbatore.”

Clause 2.

‘ In item (a) after the words “ Madras City Civil Court ” add the words “ and the Civil Courts in the towns of Madurai, Tiruchirappalli and Coimbatore ”.

(b) ‘ In item (e) after the words “ Slum area ” add the words “ or undeveloped area ”.

(c) In item (f) after the words, figures and brackets “ (Madras Act IV of 1919) ” add the words, figures and brackets “ the District Municipalities Act, 1920 (Madras Act V of 1920) ”.’

Clause 2, the Preamble and clause 1 were put and carried.

THE HON. SRI A. B. SHETTY :—“ Sir, I move—

‘ That the Bill, as amended, be passed into law.’ ”

MR. SPEAKER :—“ Motion moved—

‘ That the Madras Slum Improvement (Acquisition of Land) Bill, 1954, as amended, be passed into law.’ ”

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RAJA MUTHIAH CHETTIYAR OF CHETTINAD :—" Mr. Speaker, though I had not the opportunity to listen to the assurances given by the Hon. the Chief Minister with reference to carrying out the objects of this Bill in respect of Government slums, Corporation slums and other slums, I trust that the assurances have been given fairly clearly. I would also like the Hon. Minister who has now moved that the Bill be passed into law to tell us that the Government will not indiscriminately act *Ek Dham* and announce the application of this law to the hundred odd slums straightway and not take any action afterwards, for I can say from experience that it will take some time—I won't say a long time—for the Government to make up their mind to place large sums of money in the hands of the Corporation and also any Government official who may be asked to improve the Government slums. So, I do hope that till such time as the Government actually carry out the improvements to the Government and the Corporation slums by providing money and other facilities, they will not merely issue notices under this Bill with reference to other slums unless for matters of an urgent nature. Suppose there is a private slum adjoining a Government slum or Corporation slum which the Government are now trying to improve. Let them by all means issue notices. This Bill says that notices shall be given. My only point is that long time should not be taken in disposing matters connected with this. It will not be a healthy proposition and we will be doing injustice. From the moment the Government issue notice to the owner of a private slum, that land vests with the Government of Madras and the owner of that land has no responsibility at all. If the Government leave him alone without issuing a notice to him, I know there are many provisions in the City Municipal Act by which the Corporation will ask him to carry out certain improvements and keep his place and its surroundings in a perfect sanitary condition, until such time the Corporation has got enough funds to take up the improvement of the area. Therefore, by having a provision in this Bill to issue notices to such people '*Ek Dham*' they will be preventing the Corporation from taking action in this regard. Let me not get the usual reply. I want the Government to carefully consider this point. Let them not come forward with their usual reply which we have been accustomed to get nowadays, viz., 'Everything is all right. There is no need for any change' and so on. I am suggesting this only from the point of view of expediency in furtherance of the objects of this Bill itself. Let us not prevent the slight improvements that are capable of being carried out by the Corporation. Until they are in a position to take up the improvement work slum by slum, let us allow the Corporation also to do it. That is my point."

1-20
p.m.

* THE HON. SRI A. B. SHETTY :—" Mr. Speaker, the Government are grateful to the hon. Members for the very warm welcome that they have accorded to this Bill, and the spirit of accommodation that they have shown on account of the appeals

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made to them by the Hon. Chief Minister and the assurance that he has given in regard to several of their doubts. The suggestion made by my hon. Friend Sri Muthiah Chettiar will be borne in mind, and given due consideration."

MR. SPEAKER :—“ The question is—

‘ That the Madras Slum Improvement (Acquisition of Land) Bill, 1954, as amended, be passed into law.’ ”

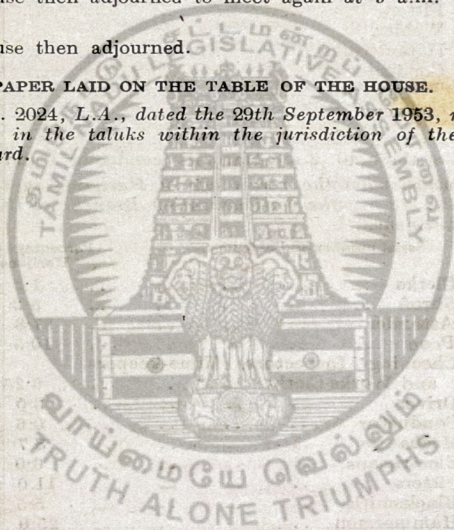
The motion was put and carried and the Bill as amended was passed into law.

The House then adjourned to meet again at 9 a.m. the next day.

The House then adjourned.

V—PAPER LAID ON THE TABLE OF THE HOUSE.

*G.O. No. 2024, L.A., dated the 29th September 1953, regarding the changes in the taluks within the jurisdiction of the Bellary District Board.



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APPENDIX I.

[Vide answer to starred question No. 305 asked by Sri A. Ratnam at the meeting of the Legislative Assembly held on 5th January 1954, page 105 supra.]

Statement showing details of appointments made in the Nationalization Branch of the Transport Department after 6th July 1953, including number of Harijans appointed.

Gazetted Officer	...	...	...	...	1
Works Clerk	...	...	...	...	2
Peon	...	...	...	...	1
Foreman	...	...	...	...	1
Electrician	...	...	...	...	1
Fitters	...	...	...	...	7
Welder	...	...	...	...	1
Hammerman	...	...	...	...	1
Conductors	...	...	...	...	15
Drivers	...	...	...	...	4
Cleaners	...	...	...	...	6
					<u>40</u>

[Out of these 40, 2 are Harijans (conductor 1 and peon 1).]

Statement showing the percentage of Harijans in the cadre of clerks, etc., in the Nationalization Branch of the Transport Department.

Serial number and category.					Percentage of Harijans.
1	Clerks	..	..	..	1.2
2	Shroff	..	..	..	5.3
3	Attender	..	..	..	27.8
4	Peon	..	..	..	10.5
5	Checking Inspectors, Time-keepers and Works Clerks				6.25
6	Driver	..	..	..	3.0
7	Conductor	..	..	..	0.6
8	Mechanics	..	..	..	8.7
9	Electricians	..	..	..	6.0
10	Fitters	..	..	..	11.0
11	Blacksmith	..	..	..	5.5
12	Hammermen	..	..	..	25.0
13	Painters	..	..	..	7.9
14	Carpenters	..	..	..	3.6
15	Tinkers	..	..	..	4.1
16	Tyremen	..	..	..	23.8
17	Helpers	..	..	..	23.0
18	Scrubber	..	..	..	29.1
19	Lascar	..	..	..	33.3
20	Turners	..	..	..	0.7
21	Lubricating Assistant	..	..	..	8.7
22	Stand Cleaner	..	..	..	9.3
23	Cleaner	..	..	..	17.7
24	Apprentice cleaner	..	..	..	5.5

Under other categories no Harijan member has been appointed.

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APPENDIX II.

[Vide answer to starred question No. 306 asked by Sri K. R. Viswanathan at the meeting of the Legislative Assembly held on 5th January 1954, page 107 supra.]

(a) The following are the names of non-official members and the designation of the official members of the Tiruchirappalli District Planning Board :—

Chairman.

1 Collector, Tiruchirappalli.

Non-official members.

- 2 Sri P. B. K. Rajachidambaram, M.L.A., ex-President, District Board, Tiruchirappalli.
- 3 Sri A. Ramaswamy Tevar, M.L.A., Chairman, Municipal Council, Tiruchirappalli.
- 4 Sri K. Vasudeva Ayyangar, Chairman, Municipal Council, Srirangam.
- 5 Sri K. Shanmugam Chettiar, B.A., B.L., Chairman, Municipal Council, Pudukkottai.
- 6 Sri S. Chinnaasami Mudaliar, Chairman, Municipal Council, Karur.
- 7 Sri V. Balakrishnan, M.L.A.
- 8 „ Chinniah, M.L.A.
- 9 „ P. N. Palaniappan, M.L.A.
- 10 „ N. Rathina Gounder, M.L.A.
- 11 „ M. Manickasundara Mudaliar, M.L.A.
- 12 „ T. V. Sannasi, M.L.A.
- 13 „ Antoni Peter, M.L.A.
- 14 „ M. Kalyanasundaram, M.L.A.
- 15 „ G. Chitrambalam, M.L.A.
- 16 „ P. Thangavelu, M.L.A.
- 17 „ P. Rengasami Reddiar, B.A., B.L., M.L.A.
- 18 „ N. Rajagopal, M.L.A.
- 19 „ N. Paramasivam, M.L.A.
- 20 „ M. Palanimuthu, M.L.A.
- 21 „ M. Palaniandi, M.L.A.
- 22 „ K. R. Viswanathan, M.A., M.L.A.
- 23 „ A. Ayyavu, M.L.A.
- 24 Dr. E. Mathuram, M.P.
- 25 Sri K. M. Vallatharasu, B.A., B.L., M.P.
- 26 „ V. Bhavaraghasami Padayachi, M.P.
- 27 „ M. K. M. Abdul Salam, M.L.C.
- 28 „ Somasundara Reddiar, M.L.C.
- 29 „ G. Krishnamoorthi, M.L.C.

Official members.

- 30 Executive Engineer, P.W.D., Tiruchirappalli.
- 31 Divisional Engineer (Highways), Tiruchirappalli.
- 32 Divisional Engineer (Electricity), Tiruchirappalli.

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Official members—cont.

- 33 District Agricultural Officer, Tiruchirappalli.
- 34 Deputy Registrar of Co-operative Societies (North), Tiruchirappalli.
- 35 Deputy Registrar of Co-operative Societies (South), Tiruchirappalli.
- 36 Assistant Director of Industries and Commerce, Tiruchirappalli.
- 37 District Veterinary Officer, Tiruchirappalli.
- 38 Rural Welfare Officer, Musiri.
- 39 Rural Welfare Officer, Krishnapuram.
- 40 Rural Welfare Officer, Vellakoil.
- 41 Personal Assistant to the Special Officer of the District Board.

Secretary.

- 42 Revenue Divisional Officer, Tiruchirappalli.

(b) No ameliorative and development work has been recommended by the Board for Udayarpalayam taluk for the first Five-year Plan.

(c) No rules have been framed governing the constitution of the Planning Boards. The Government have issued only executive instructions to the Collectors to form the Planning Boards in the districts defining the constitution and functions of the Planning Boards.

APPENDIX III.

[Vide answer to starred question No. 312 asked by Sri K. C. Gopalan Unni at the meeting of the Legislative Assembly held on 5th January 1954, page 112 supra.]

Letter from the Collector of Malabar, dated 29th September 1951, No. D. Dis. 22906/51.

[Forests—Madras Preservation of Private Forests Act—Malabar district—Working—Report—Submitted.]

I. *Duration of the Madras Preservation of Private Forests Act.*—The Madras Preservation of Private Forests Act, as validated by Act XXVII of 1949, is now in force up to and inclusive of the 2nd December 1951.

II. *Extent and general condition of private forests.*—The area under the Madras Preservation of Private Forests Act is very extensive in Malabar comprising nearly one-third of the district. The private forests in Attapady Valley were first exempted from the operation of the Act in G.O. Ms. No. 1958, Revenue, dated 19th August 1947, to allow the hill tribes (Irulas) to continue their age-long shifting cultivation. As this exemption was largely abused by the ianmis and timber contractors, Government revoked

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the exemption, however, allowing the Irulas to continue their fugitive cultivation without interference pending further orders in the matter. Most of the forests are unsurveyed and owned by big janmis. Owing to the copious rainfall, the forests were very dense and rich in the past. They were heavily exploited during the war years. Even to-day they have got great potentialities provided they are saved in time. Legislation has created a sort of nervousness in the minds of the janmis of these forests who are not sure how long they will continue to enjoy their property rights in these forests. Hence the janmis are in a hurry to make the most of their property before they lose it or are restricted in their rights of ownership. So every janmi or his lessee tries his best to get rich quickly without much concern for the future of the forests. Numerous settlers from Travancore also without any respect for the Madras Preservation of Private Forests Act have cleared and cultivated portions of these private forests. Their favourite type of cultivation, tapioca, is the enemy of the substantial tree growth. Thus the private forests in the district are literally 'under fire' and the axe from all sides.

III. *Enquiry and disposal of applications under the Act.*—The applications for permits under the Act received by the Collector are first sent to the concerned Tahsildars for enquiry and report about the applicants' right over the forest. The Tahsildar sends his report through the Special Ranger concerned who after inspection and verification whether the applicants have satisfied the required conditions, submits his report to the Special Assistant Conservator of Forests. The Special Assistant Conservator finally sends back the application with his remarks to the Collector. The Collector passes final orders on merits after examining the reports of the Tahsildar and the Special Forest Officers. Permits for clear felling and selection felling are given only in cases in which forests' interests are not adversely affected.

The particulars of permit applications received and disposed of during the several years since the promulgation of the Act are furnished below :—

Year.	Number of applications received.	Number in which permits were granted.	Number rejected.	Remarks.	
1947	121	86	35		
1948	96	71	25		
1949	123	91	32		
1950	214	154	53	Pending disposal.	7
1951 (so far) ..	258	87	64	Pending disposal.	107
Total ..	812	489	209		114

It will be seen from the above figures that the number of permit applications is steadily increasing. With the joining of the Special Forest staff and prosecution of the offenders, most of the owners of forests have realized their legal responsibilities

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and have begun to apply for permission to alienate forest areas or to fell trees under section 3 of the Madras Preservation of Private Forests Act.

A fee of Rs. 5 was being collected in respect of each permit application till September 1948. The application fee was increased to Rs. 10 as per G.O. Ms. No. 4640, Development, dated 11th September 1948. The approximate income derived by way of application fee in each year is given below :—

					RS.
1947	—	..	..	..	605
1948	..	—	..	..	625
1949	—	..	..	..	1,230
1950	—	..	..	..	2,520
1951	(so far)	..	..	..	3,260
Total ..					8,240

The present income by way of stamp fee is far below the expenditure involved in the maintenance of the special staff employed in the district for the administration of the Act.

IV. *Special staff.*—A Special Forest staff consisting of one Special Assistant Conservator of Forests, eight Special Rangers, sixteen foresters, one clerk and eleven peons are now employed in the district for work connected with the administration of the Act, besides one upper division clerk and one lower division clerk in my office for the purpose. The approximate expenditure on account of the maintenance of the special staff will be Rs. 50,000 a year. Though the Madras Preservation of Private Forests Act has been in force since 1946, its effective enforcement in the district started only with the piecemeal joining of the Special Forest staff at the end of 1949 and later.

The Special Rangers have been asked to inspect the private forests in their respective jurisdiction as often as possible and to report violations of the Act if and when noticed. Copies of the felling permits are communicated to the Special Assistant Conservator of Forests and the Special Rangers with a view to check and see whether the permit-holders observe the conditions of the permits. The Revenue subordinate officers have also been instructed to be alert and report cases of violations of the provisions of the Act promptly.

V. *Extent up to which the Act has assisted in the preservation and prevention from denudation of private forests.*—The Special Forest staff now sanctioned for the district is not quite adequate for the effective administration of the Madras Preservation of Private Forests Act when compared with the vast area covered by the Act in the district. The Special Forest staff are essential not only to make inspections and enquiries before issue of permits but also to check up whether felling and subsequent regeneration, etc., are being carried out according to the terms of the permit.

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Until this second part is effectively watched, the Act will in fact remain ineffective. The Special Rangers have got wide jurisdiction roughly a taluk each, and their touring is also restricted so as to keep within the sanctioned allotment of travelling allowance. The question of employing additional special staff and enhancing the allotment of travelling allowance is under consideration and a report in the matter will be submitted separately. I may also point out that the successful working of the Act must become the full responsibility of the Forest department, instead of the present system under which some Special Forest staff work under the Collector in respect of private forests while reserved forests in the same area are under the District Forest Officers and the regular Forest staff who alone have the legal powers under the Timber Transit Rules, to effectively check clandestine movements of timber.

The Special Forest staff and the Revenue subordinates are reporting cases of violation of the provisions of the Act. Each case is examined in detail and prosecution sanctioned if there is clear evidence to prove the offence. In other cases, the persons concerned are warned. These prosecutions and warnings and even enquiries into offences have begun to create some fear in the minds of the owners of forests and they now hesitate to commit offences under the Act. But the Travancore settlers have not much respect for the Act since after all, even for a flagrant breach of it we can only prosecute and not evict and many of these land hungry enterprising settlers will be quite willing to face prosecution, pay fines and retain their cleared lands.

VI. *Prosecutions sanctioned*.—The particulars of prosecutions so far sanctioned under the Act are furnished below :—

(i) Total number of cases reported by the subordinate officers—

Violation of section 3 (1) (a)	...	...	7
Violation of section 3 (2)	...	...	97
Total	...	...	104

(ii) Number of cases in which prosecution was sanctioned—

Under section 3 (1) (a)	...	...	7
Under section 3 (2)	...	...	20
Total	...	...	27

(iii) Number of cases disposed of—

Under section 3 (1) (a), convicted	...	...	1
Under section 3 (1) (a), acquitted, discharged or withdrawn	...	...	...
Under section 3 (1) (a), pending disposal	...	...	6
Under section 3 (2), convicted	...	...	2

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Under section 3 (2), acquitted	2
Under section 3 (2), discharged	1
Under section 3 (2), withdrawn	1
Under section 3 (2), pending disposal	14
(iv) Number of cases in which parties have been warned or further enquiry dropped for want of evidence	42
(v) Number of cases pending enquiry	35

VII *Difficulties realized in the working of the Act.*—The following practical difficulties are felt in the actual working of the Act :—

(i) *Contiguity of the area.*—According to section 1, (2) (i) of the Madras Preservation of Private Forests Act, the Act applies to private forests in Malabar having a continuous area exceeding 100 acres and owned by a single person or by more than one person jointly. When large blocks of forest land belonging to Marumakkathayam tarwads undergo partition, the extent of each individual share, in some cases, becomes less than 100 acres and that land thereby goes outside the scope of the Act. I had suggested an amendment to section 1 (2) (i) of the Act by adding the words ' or severally ' with a view to bring such extents also within the scope of the Act in the interest of the preservation of private forests.

(ii) *Assessed lands.*—The Board has held that ' estate developed ', ' developed dry ' and ' occupied dry ' lands which are permanently assessed will come within the scope of the Madras Preservation of Private Forests Act if they are actually forest on ground. The Government Pleader, South Malabar, Kozhikode, when consulted has remarked that there may be some legal difficulty in pressing this point in a case of prosecution inasmuch as the definition of ' forest ' given in the Act is only illustrative and not definitive. I have therefore submitted a further report to the Board in the matter to reconsider the question of bringing such lands within the scope of the Act by a declaration under section 2 (a) of the Act.

(iii) *Enforcement of the conditions of permit for cultivation purposes.*—I have pointed out the absolute necessity for issuing permits under section 3 (2) of the Madras Preservation of Private Forests Act for reclamation for cultivation purposes in the interests of the Grow More Food campaign and the general development of the district. There is practically no scope for extension of cultivation in the district if permission to reclaim at least those lands which are swampy or have no tree growth is not given. But there is no provision either in the Act or in the rules framed thereunder to legally enforce the conditions of cultivation permits. Failure to cultivate the clearfelled area cannot be construed as an ' Act ' amounting to denudation of a forest or diminishing its utility as a forest which alone is punishable under section 3 (2) read with section 7 of the Act. In the case of such permits, the

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condition regarding the leaving of stumps on the ground as required by rule 7 (a) of the rules framed under the Act cannot also be complied with by the permit-holders for the obvious reason that in order to make the lands suitable for cultivation, the stumps also will have to be removed. In order to overcome these difficulties, I have proposed an amendment to section 7 (1) of the Act and insertion of a note to rule 7 (a) of the rules framed under the Act.

(iv) *Seizure of properties*.—There is no provision either in the Act or in the rules framed thereunder to seize the properties involved in cases under the Act. Although there is provision to prosecute the offenders, imposition of even heavy fines may not have the desired effect for the obvious reason that the enormous profits they make easily outweigh the fines imposed. I had reported that properties may be got seized by the Police, wherever necessary, under section 550, Criminal Procedure Code, pending inclusion of the essential provisions of the Madras Preservation of Private Forests Act in the Madras Forest Act, 1882, by an amending Bill which is under the consideration of the Government. However, I feel that there should be provision in the Act to seize the properties involved in the cases and the courts should be empowered to confiscate them. Such a provision will surely discourage people from carrying out unauthorized felling to a much greater extent than at present and will help in the efficient enforcement of the Act.

(v) *A uniform system of Timber Transit Rules*, extended to the entire district with 'tanahs' at important points is urgently necessary for the effective enforcement of the Act since it is at present very difficult to check the movement of illicitly felled timber.

APPENDIX IV.

[Vide answer to starred question No. 314 asked by Sri M. Narayana Kurup at the meeting of the Legislative Assembly held on 5th January 1954, page 114 supra.]

Extent of damage caused by the floods in July 1953 in the Malabar district and the relief measures undertaken by the Government.

(a) Extent of damage—

(i) Total number of huts collapsed	..	..	880
(ii) Total number of huts which were damaged.			1,280
(iii) Acreage under standing crops affected by the floods.			2,458.65 acres.
(iv) Estimated loss of paddy	..	..	.. Paddy, first crop, about 596 tons.

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(v) *Particulars of cattle lost.*—One elephant and about 250 heads of cattle were reported to have died in the floods.

(b) *I. Loss of life.*—There were three deaths—one was in Ponnani taluk as a result of a small fishing boat capsizing, the other was a child in Wynad taluk who appears to have been drowned in the water that had collected around her house and the third was in Naripatta amsam in Kurumbranad taluk where a woman was drowned in “ Vanimal ” river when the boat in which she was crossing the river capsized.

II. The following measures were taken for the relief and rehabilitation of persons affected by the floods :—

(i) *Reconstruction of houses damaged or destroyed.*—A sum of Rs. 34,568 was disbursed for this purpose from the State Funds. The scale of relief was Rs. 30 for a Harijan and Rs. 20 for a non-Harijan family for the reconstruction of houses and half the above amounts for effecting repairs to damaged houses.

(ii) *Agricultural loans.*—An allotment of Rs. 10,000 was placed at the disposal of each of the District Agricultural Officers of North and South Malabar exclusively for the grant of loans to agriculturists in the flood-affected areas for the purchase of seed and manure. The entire amount had been utilized for this purpose. In addition to the above, Tahsildars and Deputy Tahsildars have also been instructed to grant loans liberally under the usual Taccavi rules for reclamation of silted agricultural lands.

(iii) *Prime Minister's donation.*—A sum of Rs. 10,000 was sent by the Prime Minister of India as donation from the Prime Minister's National Relief Fund for flood relief purposes in Malabar. The entire amount was utilized for the supply of cloth to indigent flood-affected persons, reclamation of lands silted up, to supplement the grant given from State Funds for reconstruction of houses and for subsidising the sale of insecticides in the pest-affected areas of Chirakkal taluk.

(iv) *Medical relief.*—The allotment of 115,000 lb. of milk powder, 100,000 multivitamin and 100,000 sulphaguanidine tablets received are being distributed in various villages of the district, preference being given to the flood-affected areas. Besides this, a mobile medical unit consisting of an Assistant Surgeon, a compounder and a nursing orderly is touring the flood-affected areas in North Malabar to render medical relief to persons in the interior who are unable to obtain it from the nearest hospital or dispensary.